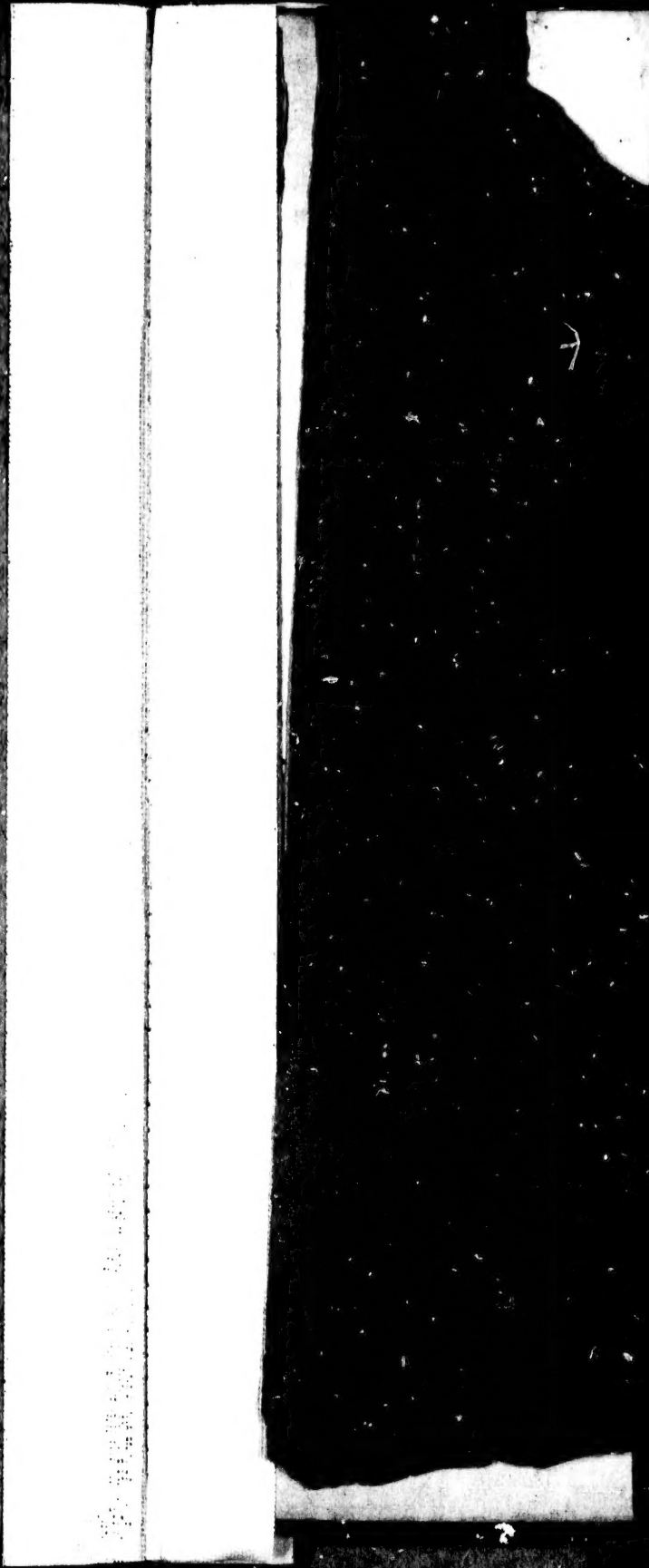


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THE  
BYE-LAWS AND ORDINANCES  
OF THE  
**Town of Dartmouth.**

ACT OF INCORPORATION,

APPENDIX, &c. &c.

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HALIFAX, NOVA SCOTIA.  
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1874.



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# An Act to Incorporate the Town of Dartmouth.

(Passed the 30th day of April, A. D., 1873.)

Be it enacted by the Governor, Council, and Assembly, as follows :

1. A municipality shall be erected within the County of Halifax, to be bounded as follows, that is to say : Beginning on the Eastern side of the Harbor of Halifax, at a point in such Harbor distant three hundred feet Westerly from the South-western corner of a lot of land formerly owned by Judge Johnston and by him conveyed to John Esdaile ; thence to run Eastwardly till it strikes the road leading to the property of the late John Esson ; thence by the Southern side of such road and following the course thereof Eastwardly to such Esson property ; thence along the Western boundary of such property, Southwardly to the South-Western corner thereof ; thence Eastwardly to Gaston's Road, and crossing such road to a point at right angles with the extension of a new road laid out by J. W. Watt through Manor Hill Farm ; thence Northwardly to such road and by such road for the length thereof ; thence Northwardly to the causeway at Hurley's on the First Lake ; thence Northwardly to the North-East boundary of Stair's Ropewalk property ; thence Westwardly to a point three hundred feet into the Harbor of Halifax ; and thence Southwardly to the place of beginning ; to be called and known as the " Town of Dartmouth."

The Town shall be divided into three Wards :

## *Ward Number One.*

To include all that portion of the Town lying to the South of a line through the centre of Portland Street to the Bridge, and of a line through the centre of the road leading from the Bridge to Hurley's at the Lake.

## *Ward Number Two.*

All that portion of the Town lying to the North of such lines and to the South of a line through the centre of Gaetz Road and of a line through the centre of Ochterlony Street.

*Ward Number Three.*

All that portion of the Town lying to the North of the line through the centre of Ochterlony Street and Gaetz Road, and South of the Northern boundary of the Town.

3. The Town shall be a corporation and shall be governed by a Council to consist of a Warden and six Councillors, residents of the Town, to be elected by the rate-payers thereof. Such Warden and Councillors shall be *ex officio* Justices of the Peace within the limits of the Town.

4. The qualification of a candidate for the office of Warden or Councillor shall be the possession of one thousand dollars, real and personal property, beyond any amount he may justly owe.

5. All male residents of the Town who shall have been so for at least one year next previous to the election, being natural born or naturalized subjects of Her Majesty of the full age of twenty-one years, and who shall have been assessed for Poor or County rates within the limits of the Town for the year previous and paid the same, or who through resident out of the Town shall own real estate therein, on which they shall have been assessed and paid the rates, shall be entitled and qualified to vote at any election for Warden or Councillor.

6. The election for Warden and Councillors shall be held on the first Tuesday of May, in the present and each succeeding year. Two Councillors, to hold office for two years, shall be elected by each Ward; and the Warden to hold office for one year, by all the Wards. The Warden and one Councillor from each Ward shall go out of office at the end of each year, but shall be eligible for re-election.

7. At the close of the first year, the Warden shall draw lots to determine which of the Councillors for each Ward shall retire. In succeeding years the senior Councillor of each Ward shall retire. Any person elected as Warden or Councillor, and refusing to serve, shall forfeit the sum of Forty Dollars to the use of the Town. Provided that no Warden or Councillor, who shall have served for one term, shall be subject to fine for non-acceptance of office on re-election, until the expiration of three years from the date of his first election.

8. The first election shall be conducted by a presiding officer—to be appointed by the Governor in Council—who shall appoint a deputy presiding Officer and Inspector and Poll Clerk for each Ward. Succeeding elections shall be conducted by presiding Officers and Inspectors to be named by the Council, together with a Poll Clerk for each Ward. Notice of the time and place of holding election shall be posted up, in the case of the first elections by the

(iii.)

presiding Officer, and of succeeding elections by the Council in two of the most public places in each Ward of the Town for ten days previous to the holding of any such election.

9. Any person offering to vote at any such election shall produce to the officer presiding at such election his receipt for poor and county rates for the year previous, and the production of such receipt shall decide his eligibility to vote at such election.

10. All candidates for the offices of Warden and Councillors shall be proposed in writing by two rate-payers; the Councillors by rate-payers residents of the Ward for which the Councillors are to be elected, and their names shall be handed in at the first election to the presiding officer appointed by the Governor in Council, and in succeeding elections to the Town Clerk, at least three days previous to the holding of any such election; and the presiding officer and Town Clerk shall post up the names of the candidates in one conspicuous place outside and one inside where the said elections shall be held, and shall also furnish the names of candidates for Warden and Councillors for the several Wards to any rate-payer desiring the same.

11. The polls shall be opened at nine of the clock in the morning, and closed at four in the afternoon; but they may be earlier closed by proclamation, if no vote be polled within the hour.

12. The votes shall be given at the election by ballot. The ballot shall be a paper ticket which shall contain in writing or printing or partly written and partly printed the name of the person for whom the elector intends to vote, designating on the back the office which the person named inside is intended to fill. Each voter shall deliver his ballot folded up to the inspector. The inspector shall ascertain that the ballot is single, without reading it, and shall then deposit it without delay in the ballot-box.

13. There shall be in the charge of the officer presiding one or more ballot-boxes. When the Warden and Councillors are to be elected, there shall be two ballot-boxes in each Ward, to receive separate ballots from each voter for the different offices.

14. No ballot shall contain more names than there are persons to be chosen to the office, no ballot shall be rejected because found in a box to which it does not belong, if otherwise correct, but a ballot if double or containing more names than legal, shall be rejected.

15. No officer presiding at any election nor any poll clerk or inspector or officer of the Town present thereat, shall give to any voter any ballot to vote with, or offer or give him any advice as to the person for whom he should vote, or otherwise interfere with the

(iv.)

voter in the exercise of his franchise. Any such presiding officer, poll clerk, inspector or officer offending against this section shall forfeit for every offence, a sum not exceeding twenty dollars, to be recovered by any person in the Police Court, or imposed as a fine in the Police Court upon complaint and proof by any person present at such election.

16. On opening the boxes, if it is found that the ballots in any of the boxes exceed the number of votes entered on the poll list, the ballots of that box shall be returned and well mingled; and then the presiding officer shall draw out publicly as many of them without looking at them as equals the excess and destroy them at once.

17. The name of each elector voting at such election shall be written in a poll list to be kept at such election by the Poll Clerk and immediately after the final close of the poll, all the votes given in each Ward, being sorted and counted and publicly declared by the presiding Officer and Inspectors, shall be recorded at large by the Poll Clerk, and in making such declaration and record the whole number of votes or ballots given in shall be distinctly stated, together with the name of every person voted for and the number of votes given for each person respectively, and the presiding Officer shall proceed publicly to declare the persons having the majority of votes in their favor to be duly elected.

18. If there shall be at the final closing of the poll, an equal number of votes polled for two or more persons, the presiding Officer shall give a vote for one or other of the persons having such equality of votes in order to give a majority to one of them; but nothing herein contained shall be construed to prevent the presiding Officer from voting previously to the close of the poll in the same manner as other citizens may vote, and in case of his being entitled to vote in any Ward other than that in which he shall be appointed to preside, he may give such vote by proxy—such proxy being in writing and signed and having the receipt for taxes of the presiding officer so voting by proxy annexed thereto.

19. The presiding officer may at any time give public notice that unless some voter shall come forward to poll within an hour the poll will be closed, and if no voter comes forward within the hour, the poll shall then be finally closed.

20. Any person knowingly and wilfully voting at any election held under this Act when not entitled so to vote; any person voting in a ward in which he is not entitled to vote; any person fraudulently putting in more than one ballot when voting; and any person who shall vote in more than one Ward at any such election shall for every such offence forfeit and pay to the Town a sum not less than eight

dollars nor more than twenty dollars to be recovered in the name of the Town of Dartmouth in the Police Court ; and in default of payment after conviction shall be committed to the County Jail for a term not less than thirty days or more than six months.

21. If any person at an election, for the purpose of giving a vote shall knowingly and fraudulently offer a forged or altered receipt for his rates and taxes, or such a receipt or certificate, belonging to another person, as his own, or shall vote falsely under the assumed name and character of any voter ; he shall forfeit and pay to the Town not less than eight nor more than forty dollars to be recovered in the name of the Town of Dartmouth at the Police Office ; and in default of payment shall be imprisoned for not less than one month nor more than six months, and in every such case shall be incapable of voting or holding office in the Town for seven years next after the offence.

22. The Officer presiding at every election shall on or before the next day make a return, in the case of the first election to the Presiding Officer, and of subsequent elections to the Town Clerk, of the names of the persons having the majority of votes and declared by him elected, and when an election of Warden takes place, a return also of the names of the candidates and of the number of votes given for each.

23. In the first election of Warden, the Presiding Officer, in succeeding elections, the Council, shall in public cause the returns to be read and the votes for each candidate summed up and the person who has the greatest number of votes in his favor shall be declared to be the Warden on the day of the election or the day following. In case of an equality of votes for Warden, at the first election, the presiding officer, at succeeding elections the officer presiding in Council, shall by his casting vote decide which of the candidates shall be Warden.

24. The result of every election respectively of Warden and Councillors shall be published in the next Royal Gazette newspaper after the election.

25. The Warden and Councilors shall before entering upon the duties of their offices respectively be sworn by taking and subscribing the oath of allegiance and oath of office. These oaths shall be administered to the Warden elect before the Custos of the County or in his absence before two Justices of the Peace for the County. The Councillors shall be sworn to these oaths by the Warden or presiding Councillor, a certificate of such oaths having been taken shall be entered by the Town Clerk in the Town minutes. The oath of office shall be as follows :



(vi.)

"I, A. B. do swear that I am duly qualified as required by law for the office of ——— that I am seized or possessed as the owner in my own right and for my own use and benefit of real or personal estate in the Town of Dartmouth of the value of one thousand dollars beyond the amount of my just debts; and that I have not obtained the same by fraud or collusion to qualify myself for office, and I swear that I will faithfully perform the duties of ——— while I hold the office, with diligence and impartiality to the best of my ability. So help me God."

The blanks shall be filled up with the name of office before the oath is taken or subscribed.

26. The Warden shall be the head of the Council, and the head and Chief Executive officer of the Town; and it shall be his duty to be vigilant and active at all times in causing the law for the government of the Town to be duly executed and put in force; to inspect the conduct of all subordinate officers in the government thereof, and, as far as may be in his power, to cause all negligence, carelessness, and positive violation of duty to be duly prosecuted and punished; and to communicate from time to time to the Council all such information, and recommend all such measures, as may tend to the improvement of the finances, the police, health, security, cleanliness, comfort and appearance of the Town.

27. It shall be the duty of the Council to assist the Warden in the discharge of his duties, and to appoint one or more of the members to be a committee to oversee the different public services of the Town, who shall at each quarterly meeting report the state of the services committed to their charge. The Council shall have power to control the making, maintaining and improving the roads and streets of the town, and the laying out new ones if necessary.

To direct and enforce the performance of the statute labor, and to control the expenditure of the commutation money. They shall have jurisdiction over all the property of the town, which they shall protect:

Over the support and regulation of the public schools, and the appointment of the teachers:

The support of the Poor:

The licensing the sale of Intoxicating Liquors:

Fixing the rate of Licenses:

Regulating the Assessments:

Collecting the Assessments:

The making all contracts relative to matters under their control, which contracts, after having been duly considered by the Council, shall be signed by the Warden and countersigned by the clerk:

(vii.)

The appointing of all subordinate officers of the town, fixing the amount of their remuneration, and the time and mode of paying them :

The returns of Assessors and Collectors, and the appointing of Presiding Officers, and the regulating the conduct of elections.

28. They shall vote, assess, collect, receive, appropriate, and pay whatever moneys are required for County Assessments, poor, school and other rates and assessments, and shall have, within the Town, all the powers relating thereto, vested in the Sessions, Grand Jury, School Meeting and Town Meeting ; and shall have and exercise within the Town all the powers and authority which within the district, previous to the passing of this Act of Incorporation, were exercised by the Sessions, Grand Jury, or Town or School Meeting, or Trustees of Schools and Public Property. They shall also have the power of enforcing due observance of the Lord's Day, of preventing vice, drunkenness, profane swearing, obscene language, and every other species of immorality in the public streets and roads, and all places within the bounds of such Town ; and of preserving peace and good order in such streets and roads, taverns, and other places, and of preventing the sale of intoxicating liquors to Indians, minors and apprentices, and of preventing the excessive beating, or cruel and inhuman treatment of animals, and of restraining, and punishing all vagabonds, drunkards and beggars, and all persons found drunk or disorderly in any street, road, or public highway, in the Town :

Also, the providing for any other purpose, matter or thing specially subjected to the control of the Council by any law or bye-law of the Town ; but no bye-law shall impose any penalty exceeding Eighty Dollars ; and the Council may, by a bye-law, impose a term of imprisonment not exceeding six months in default of payment of such fine.

29. There shall be held every year four quarterly meetings of the Council, and special meetings to be called by the Warden as often as necessary.

30. The Warden, when present, shall preside at all meetings, and, in his absence, the Council shall elect a presiding officer for the time being, from among themselves.

31. The Council shall annually appoint a Clerk, Treasurer, Police and Stipendiary Magistrate, Assessors, Overseers of Poor, Health Officers, Clerk of Licences, Superintendent of Streets and Commons, Collectors of Poor, County, School, and other rates and assessments, Firewards and Fire Constables, Police Constables, Clerks of Markets and Measurers and Weighers, and every other

officer from time to time deemed necessary to the due performance and carrying on the business of the Town and the preservation of order.

32. The Town Clerk shall, until the Council shall declare otherwise by some bye-law to be by them passed therefor, perform the duties appertaining to the office of Treasurer, Clerk of Overseers of Poor, Clerk of License, Collector of School, Poor, County and other rates and assessments, and all other duties that may be from time to time required of him by the Council.

33. The duties of the various officers shall be specifically set out in the bye-laws of the Town.

34. The Council shall also have power to make, and from time to time, to alter and repeal all such bye-laws, rules and regulations, as may be necessary for the conduct and good order of their proceedings, the direction of the Town Clerk and all other officers, and touching all matters within their authority, including the altering, limiting, or modifying the mode in which the labor on the streets and roads shall be performed or of substituting assessment in lieu thereof, of the performance of labor on the said streets and roads, as they may judge proper, and shall make all rules necessary for the creating and for the conduct, management and regulation of the Police and Municipal Court of the Town and for the regulating the mode of assessment, and of levying the same, and shall also make all regulations necessary for holding elections to supply vacancies occurring within the year in the office of Warden or Councillors, which rules, bye-laws and regulations, when approved of by the Governor in Council, shall have the force of law.

35. The Common of Dartmouth, the School House and all property, real and personal, which at the passing of this Act of Incorporation shall be public property or shall have been held in trust for the Town of Dartmouth, shall on the passing of this Act vest in and become the property of the Town.

36. After the passing of this Act the Town shall be set off into a separate School Section, and the Town shall have the expenditure of all school rates raised within its limits for the schools of the Town, as also of all Government and School grants for such schools, which grants shall be paid to the Town.

37. For all school purposes the district lying between the Northern boundaay of the Town and the lands of the British Government and the district lying between the Southern boundary of the Town and Herbert's Brook, shall form part of the "Town of Dartmouth," and the Town shall be entitled to receive and be

paid the proportion of the Government School grants, payable in respect of such districts, and to impose and levy the County School assessments and all school taxes on such districts and collect the same in the same manner as if such districts formed part of such Town.

38. The Council shall annually appoint two Auditors. No one who during the preceding year shall have been a member of the Council or a contractor or officer appointed by the Council (except an Auditor) shall be eligible. The Auditors shall examine and report upon all accounts affecting the Town or relating to any matter under its control, or within its jurisdiction for the year preceding their appointment. The Auditors shall prepare an abstract of the receipts, expenditures and liabilities of the Town, and also a detailed statement of such particulars in such form as the Council shall direct, and shall report in duplicate on all the accounts audited by them, and shall file such report in the office of the Clerk of the Council within one month after their appointment, and thereafter one copy shall be open to the inspection of any rate-payer at all seasonable hours, and he may by himself or his agent at his own expense take a copy thereof or extract therefrom.

39. The Council shall, upon the report of the Auditors, finally pass and allow the accounts of the Treasurer and Collectors and all accounts chargeable against the Corporation, and in cases of charges not regulated by law or bye-laws the Council shall allow what is reasonable.

40. The Town Clerk shall print and publish the Auditors abstract and shall also publish the detailed statement in such form as the Council shall direct.

41. The Council shall have the regulating and ordering of all moneys to be paid out of funds in the hands of the Treasurer.

42. The Council shall in each year convene a public meeting of the rate-payers of the town, to be holden at such time, not later than one week previous to the annual election of Councillors, and at such place as the bye-laws may designate, at which meeting the accounts of the year, as audited, shall be produced if called for, and the Council shall, through the Warden, report to the meeting the state and condition of the Town, and the efficiency of the several departments; and shall recommend to the meeting any proposed improvements and alterations, and shall furnish an approximate estimate of the expenses of all kinds required to be incurred for the current year, including the County rates of the Town, for the incoming year, and the amount required to be raised to defray the same, for which sum the incoming Council shall assess and shall also recommend any additional sum required to meet any

contemplated extraordinary services or improvements ; and the rate-payers may, by a vote of the majority present, affirm such expenditure, and the Council shall, at their next ensuing meeting, pass a bye-law imposing a rate to meet such extraordinary expenditure so affirmed, or shall raise the required amount by the issue of bonds or debentures of the Town, and by assessment make provision for meeting the interest.

43. The Council shall be authorized and empowered upon a vote of a majority of the rate-payers present at the annual public meeting, to issue debentures under the hand of the Warden, and any two or more of the Councillors, and under the seal of the Town and countersigned by the Clerk, for the purpose of raising the necessary funds for the purchase of any property, or the erection of any building for the town or the carrying out any municipal work or improvement.

44. Such debentures shall bear interest at the rate of Six Dollars by the hundred by the year, payable half-yearly, and shall be redeemable at periods to be expressed in such debentures, not exceeding twenty years from the date of issuing the same, and shall not be issued for a less sum than One Hundred Dollars each. The debentures shall be made payable to the respective holders thereof, and the Town shall be at liberty to pay and redeem any of such debentures after the expiration of five years from the date thereof, upon giving the holders six months' notice.

45. Such Debentures shall be free from municipal taxation.

46. The Council shall, on the request of a majority of the rate-payers at any annual meeting after the issue of any bonds or debentures, make provision for forming a Sinking Fund for paying off such bonds or debentures.

47. All that part of Polling District number Thirty-one, lying outside of the boundary of the Town of Dartmouth, as hereby incorporated, shall for all County, Town, and Poor purposes be still considered and known as District number Thirty-one.

48. And whereas the rate-payers of Dartmouth have previously to the passing of this Act authorized the purchase of certain property, known as the Presbyterian Church property, for the use of the Town, and also the construction of certain water tanks and ponds for fire purposes, the Council are hereby empowered to carry out all contracts, engagements and agreements heretofore made *bona fide*, and to provide for the payment of all liabilities heretofore incurred and entered into on behalf of the Town by assessment or the issue of Debentures.

## BY-LAWS AND ORDINANCES.

It is ordained by the Warden and Councillors of the town of Dartmouth in Council assembled, that the following By-Laws and Ordinances shall be in force within the town.

### I.

#### THE TOWN SEAL.

1.—The Common Seal of the Town shall be made of suitable metal, and have engraved on it such device as the Council may order.

2.—The Town Seal shall be kept by the Town Clerk.

3.—All deeds or documents where the town is a party, and when a Seal is requisite, shall be authenticated by the Town Seal, and the Warden and Town Clerk shall sign the same and affix thereto the Town Seal when authorized by any law, by-law or ordinance of the town, or by direction or resolution of the Town Council.

4.—The Wardens may affix the Seal to any certificate or document, at the request of any person desiring it.

5.—Any person requiring the Town Seal to be affixed to any certificate or document for the purpose of authentication, or otherwise, shall pay to the town the following fees:—

For affixing the Seal to any document to be used out of the Provinces.....	\$2.50
If to be used only within the Provinces .....	1.50
If to be used within the town.....	1.00
For the Seal to any certificate.....	1.50

### II.

#### TOWN COUNCIL.

1. Written notices for the quarterly and other meetings of the Council shall be sent to the Warden and each Councillor two days previous to the meeting.

Emergency Meetings may be called by the Warden or Presiding Councillor when necessary, at a shorter notice. Notices shall state



place and time of meeting and shall be left at the dwelling or place of business of the party notified.

2.—Four Councillors with the Warden or Presiding Officer shall constitute a quorum.

3.—The meeting shall stand adjourned to the next day at the same place and hour (not being Sunday or a holiday in which event it shall stand adjourned to the day following) if within one hour from the time appointed for the meeting a quorum shall not appear.

4.—As soon as the Chair is taken and the meeting opened the minutes of the previous meeting shall be read by the Clerk, when any mistakes therein may be corrected by the Council, after which or in the event of no mistakes being found they shall be marked approved.

5.—Every motion or resolution must be presented in writing, moved and seconded, before it can be debated.

6.—A motion or resolution moved and seconded, can only be withdrawn by leave of the Council.

7.—All questions shall be decided by a majority of votes, in case of equality the Warden or presiding officer shall have the casting vote, but shall not otherwise vote.

8.—The Warden or Presiding Councillor shall preserve order and decorum, and shall decide all points of order, subject to an appeal to the Council, provided such appeal be regularly moved and seconded.

9.—Every member who speaks in Council shall address the Chair standing.

10.—The member who introduces a resolution or motion, shall have the privilege of closing the debate.

11.—All resolutions moved and seconded, shall be laid on the table as a notice, and shall be discussed at a subsequent meeting, and no resolution shall be discussed and voted at the same sitting in which it is moved, unless the Council shall by vote determine it expedient so to do.

12.—When a question is regularly under debate, no other question or motion shall be entertained until it be decided, unless it be :

1st.—A motion in amendment to the original resolution.

2nd.—A motion to refer the question to a Special Committee.

3rd.—A motion to postpone the consideration to some future day or time to be named.

4th.—A motion to postpone the question indefinitely, that is to lay it on the table.

5th.—A motion that the question be now put.

6th.—A motion to adjourn.

7th.—Or the previous question.

13.—After the division has been taken upon any question or resolution, any member may call for the names on the division and have the same recorded.

14.—No debate shall be allowed upon any motion of the previous question, or upon any motion of adjournment made during a debate.

15.—Every member shall confine himself to the question under discussion, and shall abstain from all personal reflections and irritating language.

16.—Every member present when a vote is taken shall vote upon it, unless excused by the Council upon some good grounds stated.

17.—No member shall leave the room during the transaction of business, without the permission of the Warden or Presiding Councillor.

18.—Any member called to order by the Chair, shall sit down at once, but may by leave of the Chair afterwards rise to explain.

19.—The Town Clerk shall under the direction of the Warden, make out an arranged list of the business matters which it appears requisite to lay before the Council for their consideration, the list shall be termed the order of the day, a copy of it shall be laid on the table for the inspection of the members, and another placed in the hands of the Warden or Presiding Councillor.

20.—The following shall be the order of the day, as near as may be, subject, however, to alterations by the Council at any meeting as the exigency of business may require :

1st.—Reading minutes of previous meeting.

2nd.—Motion to amend the minutes.

3rd.—Motion to reconsider or rescind any resolution contained in the minutes, notice of the reseeing or reconsidering of which had been given on the day the resolution passed, before adjournment.

4th.—Receiving the report of any Select or General Committee.

5th.—Receiving any petitions.

6th.—Ordering the payments of accounts.

7th.—Discussing any resolution, of which notice had been given on a previous day in the regular order.

8th.—Reading and discussing the report of Select or General Committees, together with report of the minutes if any.

9th.—Discussing any petition.

10th.—Miscellaneous business.

**COMMITTEES.**

21.—Standing Committees shall be appointed as soon after the election in May as practicable, as follows :

- 1.—Committees on Public Account and Finances.
2.        "        Tenders.
3.        "        Schools.
4.        "        Public Property.
5.        "        Licenses.
6.        "        Roads and Streets.
7.        "        Auditing.
8.        "        Police.

22.—Special or Select Committees may be appointed on motion duly made, seconded, and passed.

23.—The report of the Special Committee shall be in writing, and signed by the Chairman, when unanimous, but when there is a difference of opinion, the report shall be signed by all who concur in it ; the minority may also report their views in writing to the Council if they see fit, which report shall be signed by all concurring in it.

24.—Any by-law, regulation, or ordinance may be suspended wholly or in part, by the unanimous consent of all the members of the Council present.

25.—Notices for rescinding or reconsidering any resolution passed must be given on the day of the resolution being passed before adjournment, and no resolution passed shall be rescinded or reconsidered when such notice has not been given, and no such notice shall have the effect of delaying or impeding the action necessary to give effect to any resolution unless the Council shall otherwise order.

**III.****ASSESSMENT.**

1.—The Council shall annually assess on the inhabitants, and on the property within the town, such sums as may be necessary to defray the expenses of the municipality.

2.—The objects to be provided for by the assessments, shall include the salaries and compensation to the Officers of the town, County rates, the support of the Poor, the support of the Schools, the expenses of the Fire Department, the Town Court, civil and criminal ; making, repairing and improving the roads, streets, lanes and bridges of the town, the repairs of the town buildings and

property, the expense of the Police, extra Constables and Night Watch, and the interest money required to be raised on all debentures issued by the Councils on behalf of or for the town, and all expenses required in the due execution of the different powers and trusts vested by law in the Corporation, its Warden, Council and Officers.

3.—The Council shall elect one suitable person not being a member of the Council, to be town Appraisor, to continue in office from year to year till removed by a vote of the Council.

4.—The Council shall annually appoint a Rate Payer from each Ward, to be called Ward Assessor within his respective Ward.

5.—The Town and Ward Appraisers shall within one week from their election, attend at such time and place as they shall be notified by the Town Clerk, and subscribe an oath in the presence of the Warden, Recorder, or some Councillor to faithfully perform the duties of their respective offices and make a fair and impartial assessment of the town, and of the respective wards.

6.—The Town and Ward Assessors shall, during their respective continuance in office, receive such annual compensation for their services as the Council may appoint.

7.—Any Town or Ward Assessor who shall neglect or refuse to attend to be sworn in, or shall be guilty of neglect of duty, shall pay a fine of not less than ten or more than fifty dollars.

8.—Every male resident of the town of the age of eighteen years and upwards shall pay an annual poll tax of two dollars.

9.—All real and personal property in the town shall be liable to taxation, subject to the following exemptions :

1st.—All estate and property belonging to or vested in Her Majesty, Her heirs and successors.

2nd.—Every place of worship and church, or burying ground, all public property held by the town, all Provincial debentures, and debentures of the town of Dartmouth.

3rd.—The real and personal estate of any Manufacturing Company for such period as the same shall be relieved from taxation by order of the Council.

4th.—The nett personal property of individuals under fifty dollars in value.

5th.—All property declared free of taxation by an act of the Province.

10.—The terms land, real estate, or real property shall be held to include all buildings or other things erected upon or affixed to the land, and all machinery or other things so fixed to any building as to form in law part of the realty.

11.—The term personal property and personal estate shall be held to include all household furniture, goods, chattels, wares, horses, cattle and farming stock and implements, and implements of trade, and one-half of the value of all ships and vessels and shares in ships and vessels owned by parties doing business in the town, whether the same be at home or abroad, and all other property except land; and the term property shall include both real and personal property.

12.—Real and Personal property shall be appraised and estimated at its full cash value.

13.—All lands shall be assessed in the name of and against the occupant, and in the case of occupied lands owned by a party known or residing, or doing business in the town, but occupied by another party, shall be assessed in the name of and against both the owner and the occupant, inserting the name of both in the roll, with the word "owner" or "occupant" as the case may be, and notifying both as hereinafter provided, and the taxes thereon may be received from either, or from any future owner or occupant, saving his or their resource against any other party under any agreement between the owner and the occupant, and the recourse of a future owner or occupant against a prior owner or occupant, and if land be owned or occupied by more than one party, then any one of them may be deemed the owner or owners, occupant or occupants, and shall be liable accordingly, saving his or their recourse against the others.

14.—The real estate and personal estate of all incorporated or joint stock Companies shall be assessed against them in the same manner as the real and personal property of individuals is assessed, and the owner or holder of stock in any incorporated or joint stock Company so taxed, shall not be assessed as an individual for such stock.

15.—The real and personal property of any partnership shall be assessed against it under the name of the firm, and notice to either party, or the agent of the firm shall be valid and sufficient.

16.—All real and personal property under the control of any person or persons as administrators or trustees, guardians or agents, the separate property of married women, and of minors shall be valued and assessed in the names of the parties exercising control over them, but such rating and assessment shall be kept distinct from the rating and assessment of real and personal property held by them in their own rights.

17.—The Town Assessor assisted by the Ward Assessor in their respective Wards, shall prepare an assessment roll of each

Ward, wherein shall be set in separate columns the names and surnames, as far as the same can be ascertained, of all taxable parties in said Ward, distinguishing residents of the town from non-residents, together with the description and extent or amount of property assessable against each, and in a separate column all the particulars mentioned in the Appendix — Schedule A — and shall deliver the same, signed by the Town Assessor and also by Ward Assessor for the respective Wards to the Town Clerk as soon as practicable, after making the assessment.

18.—Every party holding assessable property in the town, either in his own right or as executor, administrator, trustee, guardian or agent, the agent or any partner of a firm, the secretary or manager of any incorporated joint stock Company, shall when required by the Town or Ward Assessor, deliver to them a statement in writing, signed by such party, or in case of his absence, by his agent, containing all the particulars respecting the property assessable against such party in his private or official capacity which are required in the assessment roll, and any such assessable party refusing or neglecting to give such statement when so required, or knowingly giving a false statement, shall forfeit a sum not less than ten or more than thirty dollars, to be recovered in the name of the town and for the use of the town, and in default of payment of such sum together with the costs of the prosecution, the party shall be liable to imprisonment in the lock-up or county gaol for a period not exceeding ten days.

19.—No such statement shall bind the assessors further than from their own personal knowledge and inspection, and due enquiry made, they believe the information to be correct, and notwithstanding such statement, they may assess such party for such amount as they may believe to be just and correct.

20.—The personal property of all persons, or in their possession, or whether held by them in their own right, or in any representative capacity, assessed for rates, shall be liable to pay the full amount of rates due, notwithstanding any bill of sale, assignment or other conveyance made by the owner of such property, or of any judgement entered against the owner thereof, or any execution issued to bind the property.

21.—No property, real or personal, shall be liable to be taken by virtue of any assignment or mortgage, or execution, or under any warrant of distress for rent, unless the party who holds the assignment or mortgage, or at whose suit the execution is sued out, or the landlord at whose instance the warrant of distress is levied, shall before taking into possession the property or removing the



goods, pay the rates for the then current year against the same, and the Sheriff or his Deputy, or other officers is required to levy and pay to the Town Treasurer such rate or assessment, or the assignee, mortgagee, or judgment creditor who takes the property of any debtor or party—if he do not pay over such rates within three days after taking possession, shall be liable to an action for the amount in the name of the town of Dartmouth, or the goods so taken may be distrained upon by the Treasurer of the town for such rates or costs.

22.—The Sheriff, his deputy, or other officers, or any constable or bailiff, who shall execute any deed or conveyance of real estate, or pay over the proceeds of any sale of personal property, after notice from the Town Clerk of the amount due on such real or personal property for rates or assessments, without first receiving such amounts from the purchaser or deducting the same from the proceeds in his hands, shall be held to be personally responsible for the amount of such rates and assessment, and may be sued for the same in the name of the town.

23.—The Town Clerk shall on receiving the assessment roll, leave for every party resident or doing business in the town, or the representatives of any party who shall have died before the roll for that year shall have been fixed and adjusted, and shall transmit by post to every non-resident named in said roll, a notice of the actual or yearly value at which his real property, and the sum at which his personal property shall have been assessed by them.

24.—The Town Clerk shall on the receipt of the assessment roll of each Ward from the Assessors make a copy thereof, arranged in the alphabetical order of the surnames, and shall post such copy in his office for a period of fourteen days, for the inspection of any rate payer of the town; and any rate payer or firm or company, who shall deem himself or themselves not legally entitled to be rated, or that he or they are overcharged on said roll, may within such fourteen days, but not after, give notice in writing to the Town Clerk that he appeals from such rate either in whole or in part, and shall in such notice state the grounds of his objection to said rate.

25.—The subject matter of such appeal shall be tried by a court, to be composed of three members of the Council, (to be appointed by the Council) and the Recorder, who, after hearing the complaint, and the Assessor and Assessors, and any witnesses adduced by or on behalf of either of them, under oath, shall determine the matter and either confirm, modify or amend the roll accordingly, and if the party appealing shall fail to

appear, such court shall proceed *ex parte*; and if any elector of the town shall deem that any party has been assessed too low or has been omitted from said roll, the Clerk shall at the request of the elector, in writing, give notice to the party, and to the Assessor or Assessors, of the time when the matter will be tried by the said court, and the matter shall be decided in the same manner as complaints by a party assessed, and the roll as finally passed by the court and certified by the clerk as so passed, shall be valid, and shall bind all parties concerned notwithstanding any defect or error committed in or in regard to said roll.

96.—The Clerk shall post up in the town hall or his office, or such other place in the town as the Warden shall direct, a list of all complainants on their own behalf against the Assessor's return and, of all complaints on account of the assessment of other parties, stating the name of each with a concise description of the matter complained against, together with the time when the court will be held to hear such complaint, which list may be in the form given in the Appendix—Schedule B. Notice as per form in the Appendix—Schedule C.—shall be left at the place of residence or business of the complainant, if resident of the town, and if non-resident mailed to their address or left on the premises assessed at least five days before the meeting of such court; like notices shall also be delivered to or left at the place of business or abode of the Assessors.

27.—The roll shall be made up and delivered in not later than the first day of June in each year, or at such other time as the Council shall by resolution nominate and appoint.

28.—The Court of Appeal and Revision shall be held whenever practicable before the first day of July in each year.

29.—When the roll is completed it shall be handed to the Town Clerk and laid before the Council, who shall thereupon make estimates of all sums which may be required for the lawful purposes of the town for the ensuing year, making due allowance in such estimates for the abatement, losses and expenses which may occur in the collection of the taxes and of the tax of non-residents, and for taxes which may not be collected, and the Council shall authorize the levying and collection of a rate or rates of so much on the dollar on the assessed value of the property thereon, as in the judgment of the Council shall be sufficient to raise the sum or sums required on such estimate or estimates.

30.—The Town Clerk shall procure a book for each Ward, to be called the Assessment Book for Ward — as the case may be, in which he shall set down and enter the names in full of each party assessed in their respective wards, and the correct assessed value of the real and personal property of each party, and the values so

set down shall be taken from the assessment roll after the same shall have been finally settled and revised by the Court of Appeal, and Revision, and he shall also calculate and set down the amount of the rate for which each party is chargeable, which said Assessment book and rates shall be revised and approved of by the Council or a committee of their number for that purpose appointed.

31.—As soon as the said assessment roll shall be approved of by the Council, or a Committee thereof, the Treasurer of the town shall cause each person or company, so rated, or his or their agent to be served with a notice in the form in the Appendix—Schedule D—and in the case of non-residents the same shall be mailed to their address or left on the property assessed.

32.—If any persons rated or assessed, shall not pay the amount within thirty days after service of the notice, or in case of non-residents after the same has been mailed to their address or left on the assessed property, or within such other period as shall be limited for the payment of the same by the Council, the Treasurer shall, without delay, levy the same together with ten per cent. additional and the costs and expenses of the collection thereof, by distress and sale of the goods and chattels of the party, or the Company who ought to pay the same, or of any goods and chattels in his possession wherever the same may be found within the town, and may also make distress of any goods and chattels which he may find upon any of the land of non-residents upon which the taxes have not been paid, and the property distrained may be removed to a place of safe-keeping, provided that any person paying to the Town Treasurer the amount of his taxes, within fourteen days from the receipt by him of his notice, shall be entitled to a deduction of five per cent. from the amount of his taxes.

33.—If said property so distrained is not redeemed within five days after such distraint, the same shall be sold at auction to pay the rates, per centage and costs and expenses of sale after three days notice of such sale, posted in three conspicuous places of the town, and the balance, if any, shall be paid over to the party legally entitled to the same.

34.—If any party assessed shall be non-resident of the town, or shall have removed therefrom after such assessment, and before the rate shall have been collected, or any balance shall remain due after such distress and sale, the Town Treasurer shall sue for the amount inclusive of the ten per cent., costs and expenses, in the name of the town as in case of any common debt, and the production of the roll and assessment book of the Ward shall be *prima facie* evidence of the debt.

35.—In any case of non-payment of the rate by either resident or non-resident, the Treasurer shall, at his option, sue therefore in the first instance and levy for any balance uncollected, or shall issue and levy the distress and sue for any balance remaining after the sale of the distress. A certificate of any judgment obtained by the town for taxes under the hand of the Recorder, shall when recorded be a lien on the real estate of the party against whom judgment has passed.

36.—Any person absent from the Province and any Company whose effects are not to be found, or are insufficient to levy upon by way of distress, may be proceeded against for rates due the town, according to the provisions of the absent and absconding debtor's act.

37.—In case a party, or a firm, or Company whose taxes are in arrears and unpaid, shall make an assignment or become bankrupt or be unable to pay said rates in full, the Town Treasurer shall, with the approbation of the Warden, join in any compromise or accept any dividend or part payment as the same may appear for the interests of the town.

#### IV.

#### MUNICIPAL COURT.

1.—There shall be a Municipal Court to be presided over by the Stipendiary and Police Magistrate, or as hereinafter provided by the Warden or one Councillor, and the Town Clerk shall act as Clerk thereof.

2.—The Council shall appoint a suitable person to fill the Office of Stipendiary and Police Magistrate, who shall be a Justice of the Peace and a Lawyer of not less than three years standing at the Bar, and who shall in addition act as Recorder of the town, and who shall be called the Recorder of the Town.

3.—The salary of the Recorder shall be from time to time fixed by the Council, but shall not be less than the sum of four hundred dollars per annum.

4.—All fines, fees and costs shall go to form a fund out of which the salary of the Recorder, and the expenses of the Court shall be defrayed—any deficiency to be paid out of the general funds of the town; and any balance remaining over after defraying the above charges, shall be paid into the general fund.

5.—The Municipal Court shall have jurisdiction, cognizance and power to try and determine in a summary way, without a jury

all civil actions or dealing *ex contractu* in which the whole cause of action shall have arisen within the town of Dartmouth, and in which the cause of action does not exceed Eighty Dollars, and for all balances not exceeding Eighty Dollars upon accounts stated and settled previous to suit, and all such civil contracts where the amount originally due has been reduced to Eighty Dollars or less, by payment of cash,—and when the defendant shall prove an offset of greater amount than the plaintiff has proved, may give judgment in favor of the defendant for the balance due him; and shall also try in a summary way, without a jury, all actions *ex delicto*, including actions in the nature of replevin, assault and battery, slander in word or writing, trespass to land or building, or other real estate in which the title or right of possession is not the object of controversy, provided the cause of such action originated within the limits of the town, and the damage claimed in any such case do not exceed Sixty dollars. No civil suit for any debt or dealing in which the whole cause of action shall have arisen in the municipality, shall be brought to any other Court except by way of appeal to the supreme Court. Provided that if the plaintiff or defendant in such suit does not reside within the town of Dartmouth the same may be sued, defended, or tried in any Court having jurisdiction.

6.—The Municipal Court shall have and exercise within the bounds of the Municipality all the powers and jurisdiction in criminal matters conferred upon one or more Justices of the Peace or Stipendiary or Police Magistrate by any act of the Province or of the Dominion of Canada, or hitherto exercisable or held by him or them; and shall have jurisdiction, cognizance and power to try and determine in a summary way without jury criminal cases for offences, either at common law or by statute, including offences and charges for larcenies, receiving stolen goods, common assaults, assaults and battery, trespass, using violent and abusive language, disturbing or breaking the peace, being intoxicated, drunk or disorderly, offences against the Sabbath which have been committed within the municipality, and any offence against or disobedience of any by-law or ordinance of the town; not to extend to any charge of treason, homicide, burglary or arson. And to convict, sentence, acquit, dismiss and generally adjudicate on all such cases, charges and offences, and to impose such punishment by imprisonment in the County jail, the lock-up of the town, or such other place as shall be provided for the purpose, with or without hard labor; or such fine or distress, or one or more of the same, or the alternative of imprisonment for the non-payment of the fine, as such Recorder, or as said Warden and Councillor, when presiding as hereinafter

provided for, shall think proper. Provided no such fine shall amount to more than \$80, and no such imprisonment shall exceed the term of three months. The Municipal Court shall be holden for the trial of civil cases on the first and third Monday of every month, commencing at ten o'clock, A. M., and may sit by adjournment from day to day until all the causes in the list for trial are called.

7.—The Municipal Court for the trial of criminal matters shall sit every day if occasion require, commencing at ten o'clock, A. M. and shall continue until all the cases are disposed of, provided that the Recorder, or person presiding, may continue any complaint for such time as may be necessary. The party succeeding in all civil cases shall be entitled to costs.

The Recorder shall, until otherwise directed by the Council, frame and make all rules, orders and regulations respecting the practice in the Municipal Court both civil and criminal, and shall make, order and declare, adopt, and from time to time vary and alter the various writs and processes and forms to be used by the Municipal Court, together with the tariff of costs, charges and fees. All writs and other proceedings shall be issued by the Town Clerk, and shall be directed to the Police or other Constable.

8.—The administration of Police within the town and all the Executive powers of the Corporation are vested in the Warden and Councillors and the Recorder. The Warden and the Councillors in rotation according to a Roster to be by the Council prepared shall attend at the Police Office, at some suitable time and times to be named, and shall perform every act appertaining to the office of Justice of the Peace or Stipendiary or Police Magistrate, necessary for the apprehension, committal, conviction and punishment of criminal offenders, and for carrying into effect the laws in force, and the ordinances and by-laws of the town, and shall have and exercise all and every the powers vested in the criminal side of the Municipal Court, provided that the Warden or Councillor shall at all times have the power of calling to his assistance the Recorder, and that nothing herein shall be deemed to abridge the power of the Recorder as a Police Magistrate, and that by order of the Council the Recorder may be placed on the Roster and shall attend in rotation in the same manner as the Warden and Councillors.

All persons violating the Sabbath by carrying on any game, play or passtime to the annoyance of their neighbors, or the public, common beggars, gamblers, habitual drunkards, persons breaking



windows or damaging the property of others wilfully and maliciously, lewd persons, vagabonds, runaways, stubborn and refractory apprentices, and all persons who may have been found drunk and disorderly on the streets, or committing any assault or breaking the peace in any manner whatsoever, and all persons imbecile in mind and incapable of taking care of themselves, may be sent to the County Jail or the Town Lock-up, or other place provided by the Recorder, or the Warden or any Councillor, for a period not to exceed twenty days for the first offence, and may on any subsequent conviction, be imprisoned by the same authority for a period not exceeding three months, and in the case of inebriate persons or vagabonds for a period not exceeding one year, and the Recorder, or the Warden or any Councillor may in lieu of imprisonment, impose a fine not exceeding Forty dollars in any such case.

9.—The Police Constables shall arrest such persons and bring them before the Recorder, or the Warden, or any Councillor. If the arrest occurs after three o'clock in the afternoon, or upon Sunday, or any holiday, or the afternoon preceding either of these days, the prisoner may be kept in the Lock-up house until the hour of eleven o'clock of the subsequent day, such subsequent day not being Sunday or a holiday, in which case he shall be tried upon the day following.

And the Warden, Councillor or Recorder presiding, on being satisfied on inspection, confession or proof, that the person or persons so arrested are guilty of the offences and crimes charged against them, or ought whether for their own benefit or that of others, not to be at large, may sentence them to such imprisonment or impose such fine as is provided in the last preceding section.

No conviction before the Recorder, or the Warden or any Councillor, shall be quashed for want of form, and no warrant of commitment shall be held void by reason of any defect therein, so as it be therein alleged, that the party has been convicted of some offence named therein.

10.—Nothing herein contained shall prevent the Recorder, the Warden, or any Councillor from committing persons charged with offences for trial in the Supreme Court, or bind them under recognizance with sureties to appear and answer in the Supreme Court.

11.—All persons shall be bound on request to obey the Recorder, the Warden, or any Councillor, and to assist the Policeman and Constables in any duty of arrest; and any one refusing shall be

fined not less than three dollars nor more than twenty by the Recorder, the Warden or any Councillor, and in default of payment shall be imprisoned not less than seven nor more than fifty days.

12.—In all undefended civil cases in the Municipal Court where the defendant fails to appear at the time and place named in the summons for his appearance, the Court shall be at liberty to give judgment for the plaintiff, without his appearing and making oath to the justness of his claim.

## V.

### POLICE FORCE.

1.—The Council shall as often as occasion shall require, select a Policeman or Policemen, who shall act as day and night watch of the town of Dartmouth, and in the event of more than one Policeman being appointed, shall select one of the number to be Chief of the Police.

2.—The Policeman and all special and extra Constables to be appointed as hereinafter provided, shall be under the authority, direction and control of a Committee of Police, to be composed of the Warden, the Recorder, and three members of the Council.

3.—The Policemen shall be prompt to obey and carry out all the orders and directions from time to time given to him, or such number of them as the Council shall select, and shall serve all processes, civil and criminal, and make all arrests within the town, and under the direction of the Committee of Police, shall have all the power and authority in all matters criminal, and in case of breach of the peace, and for preserving quiet and good order, which Sheriffs and Constables possess, within their jurisdiction, and shall immediately report to the Town Clerk or some member of the Committee of Police, any violation or infraction of the act of incorporation, or of any by-law or ordinance of the town, any case of breach of the peace, or of quiet and good order, and any criminal matter within the municipality that shall come to their knowledge or under their notice.

4.—The Committee of Police shall cause to be entered in a book any special order or direction in regard to Police matters, which book shall be in the custody of the Town Clerk, and shall be at all times open to the inspection and guidance of the Policemen in the discharge of their duties, and which they shall be bound at once to obey and carry out.

5.—The Council shall from time to time, fix and appoint the fees, salary and emoluments to be paid to the Policemen.

6.—The Chief of Police or any Policeman told off to serve civil processes and execute writs for the Civil Court, shall before entering on that duty, give security in such sum as the Council shall direct, for the due and faithful accounting for and paying over any monies that may collected by him or come into his possession or under his control.

## VI.

### SPECIAL CONSTABLES.

7.—In case of riot, tumult or disturbance or illegal act of any kind, accompanied with force and violence, within the precinct of the municipality or a just apprehension thereof, the Warden, Recorder or any one or more of the Councillors, may by writing under their hands, appoint any number of Special Constables to assist in preserving peace and order.

8.—Such Special Constables shall be under the direction and control of the Committee of Police.

9.—The Warden or any member of the Committee of Police, may swear in such Special Constables to the faithful discharge of their duties.

10.—The appointment of such Special Constables shall continue in force for the space of seven days from the date of such appointment, unless sooner revoked by the Committee on Police.

11.—In case any disorder or disturbance shall occur at any public meeting or assemblage of persons, the Warden, Recorder, or any Councillor of the town, upon the request of the Chairman of such meeting or of three or more freeholders, may verbally appoint and swear in Special Constables, who shall aid in restoring and preserving order and peace at such meeting or assembly, and who shall be under the control and direction of the Warden, Recorder, or any member of the Council.

12.—Any person appointed a Special Constable who shall refuse to act or be sworn in, shall be liable to a penalty not exceeding Ten Dollars.

13.—The Warden may from time to time appoint such number of Extra Constables as he may deem necessary, and for such period not exceeding one year, as he shall deem requisite.

14.—Each Extra Constable shall be sworn in before the Warden, Recorder, or any of the Councillors to the faithful discharge of his duties while he shall continue to be an Extra Constable.

15.—The Council may compensate any Extra Constable for loss of time when called out for special duty, but in no other case.

16.—The Extra Constables shall be under the direction and control of the Committee of Police, they shall assist the Police Constables in any of their duties.

17.—On the request of the Warden, Recorder or Committee of Police, they shall serve any summons or execute any warrant emanating from the Police or Court of the town, or perform any other duty that a Police Constable has authority to do.

In case of an actual breach of the peace occurring in their presence, they shall interfere to preserve order, and if necessary shall arrest wrong doers and convey them to the lock-up.

In cases of larceny or alleged larceny, the Extra Constables shall have power to act in prevention or otherwise, and in cases of violent removal of goods or violence as to property in houses or the possession thereof, shall have power to assist in keeping the peace.

In case any persons are found by the Police or Extra Constable in the act of defacing, injuring or destroying any bridge or public property, or any trees on any street, lane, or public, or open place, or in the front of any house or building which have been growing or placed there for shade, ornament or other purpose, or discovered digging up or removing any of the soil of the Common, or defacing or injuring the exterior of any house, building or fence, or the shutters or appendages thereof, or in writing any obscene or profane words on any fence or building, the Police or Extra Constables shall arrest such trespassers if they are unknown persons, and take them to the lock-up, and detain them there in order to ascertain their names, giving immediate notice to the Warden, Recorder, or Committee of Police, and if the parties so caught are known, shall report the fact with the names and residences of the parties to the Warden, Recorder, or Committee of Police, without making any arrest.

18.—The names of parties appointed as Extra Constables shall be posted up inside the Town Hall or Police Office, and shall be published in handbills posted in conspicuous places in the town, within one month of such appointment and being sworn in.

19.—Any Extra Constable so appointed, who shall not attend at the Town Hall at such time as he shall be notified for the purpose of being sworn in, or who shall refuse to take the oath, shall be liable to a penalty of not less than Ten or more than Forty Dollars, to be recovered in the name of the town as a debt, and in default of payment shall be subject to imprisonment in the lock-up or county jail for a period of not less than ten or more than sixty days.

**LOCK-UP.**

1.—The Council shall establish a lock-up house for the town, which shall be placed in the charge and keeping of a Police Constable or other person of the town, to be by them for that purpose specially appointed; and the Council may allow such salary or fees to such Police Constable or other person as they may from time to time deem prudent.

2.—That the lock-up house shall be under the care and management of the Committee of Police.

3.—Any person or persons charged on oath with having committed any criminal offence, and whom it shall be lawful and necessary to detain in order that such person or persons may be examined previous to commitment to jail for trial or dismissed, shall be confined in the lockup, and all persons convicted by the Police Court of the town for violation of any by-law or ordinance of the town, shall be sentenced to confinement in the lock-up or county jail.

4.—All persons found in the streets or public places of the town, in a state of intoxication, all persons found injuring, defacing or destroying any bridge, trees or other public property of the town, and whom it is lawful to arrest on view, and generally all persons convicted on view of the Warden, Recorder, any Councillor, the Police, Special or Extra Constables, or on the oath of one or more creditable witnesses, shall be detained and confined in the lock-up.

**PROSECUTIONS.**

1.—All fines and penalties incurred under the Statute concerning the town of Dartmouth, or any Act in amendment of or in addition thereto hereafter to be passed, or under any by-law or ordinance of the town, or for any breach of any provision of any act of the Province, now or hereafter to be in force respecting the sale of intoxicating liquors, may be enforced in the Civil or Police Court of the town, at the prosecution of the town or any person whomsoever, and all such fines and penalties when recovered shall form part of the general fund of the town, provided that such proportion of the fine exacted for selling liquors without license, or for violating the by-law "Liquor License" shall be paid to the informer or other person prosecuting to conviction, as the License Committee shall in their discretion order.

2.—When any rent shall be due to the town, and in arrear, the Warden or any member of the Committee of Public Property, shall have full power to issue a warrant of distress for the same,

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under his hand and seal directed to any Police Constable of the town; or the same may be sued for in the name of the town as a common debt.

3.—In cases when at the suit of the town, or by any other person, a summons is issued for the violation of any by-law or ordinance, or of any provisions of the present or any amended Act of Incorporation of the town, and the same is disobeyed, it shall be lawful to issue a warrant against the party so refusing or neglecting to obey such summons, or a warrant may be issued in the first instance.

### **POUND AND POUND KEEPERS.**

Suitable pounds shall be erected, one at each end of the town, or any other locality deemed advisable by the Council.

The Council shall annually appoint a keeper for each pound.

Whenever any animal is impounded for the breach of any by-law or ordinance of the town, the pound keeper in case the owner of such animal is known to him, shall give him notice of such impounding as soon as practicable, and if within two days after said notice or within five days after the impounding of the animal, the owner is unknown, the owner of said animal does not reclaim and remove it and pay the forfeiture incurred, the Warden shall issue an order for the sale at auction of such animal, and in such case the balance if any, after deducting the forfeiture and expenses of sale, shall be paid to the owner, if applied for within three months from day of sale, and if not so applied for shall go to the use of the town.

Before any animal impounded for the breach of any by-law, shall be released, the owner thereof or party applying for the release, shall pay the following forfeiture, viz :

For notices when given.....	\$0.50
Keeper unlocking pound.....	0.25
Keeper releasing the animal.....	0.25
For providing provender for the animal while in the pound, if a horse, colt, ox, cow, or calf, each day.....	1.00
If a pig, goat, or goose, each day. ....	0.25

### **RELATIVE TO HORSES, COWS, SWINE, COLTS, OXEN, CALVES, AND GEESE.**

1.—Horses, oxen, cows, swine, goats, and geese, shall not be allowed to go at large within the town of Dartmouth.

2.—The Police Constable or any other person may impound any horses, cows, swine, goats or geese, found at large in any street lane, or other place within the town.



3.—The owner of any horse, ox, cow, pig, goat or goose, going at large, shall forfeit and pay the following amount, viz : For each and every horse, ox, cow, pig, or goat the sum of one dollar for the first offence, and two dollars for every subsequent offence, and for each and every goose, the sum of twenty-five cents for the first, and fifty cents for every subsequent offence. One half of the above to go to the party other than the Police Constable, who shall inform against, and convict the offender, the remainder to the use of the town; this fine to be recovered in the Police Court in the name of the town, whether the animal shall have been imprisoned or not.

4.—The Recorder shall, on the application of a party, issue a warrant to bring the offender before him for trial.

5.—If the offender on conviction does not pay the fine imposed, the Recorder, or officer presiding, shall order the animal so found going at large, to be seized, and to be sold at public auction on the day following such conviction, unless the owner shall have previously paid the fine imposed, together with all the expenses consequent on the seizure, and keep of the animal; and on the sale after deducting the fine, the expenses aforesaid, and the expenses of sale, the balance, if any, shall be paid to the owner.

6.—It shall be the especial duty of the town and Police Constable, at all times to attend to and enforce this by-law, and to report any infraction of it to the Recorder, the Warden or a Councillor.

7.—Nothing herein contained shall be construed to restrain or limit the right to impound any horse, colt, ox, cow, pig, goat, or goose going at large.

### **STREETS.**

1.—The streets of the town and the expenditure thereon, shall be placed under the control of a Committee of three Councillors, one from each Ward to be annually chosen by the Council, to be called the Committee of Streets, and the Superintendent of Streets shall be under the direction and control of the Committee.

2.—The Committee shall choose a Superintendent of Streets, to hold office until his successor be appointed, or until removed, to be removed at the pleasure of the Council, such Superintendent to be sworn before the Warden or a Councillor to the faithful discharge of his duty, and to give such security and receive such compensation for his services as the Council may from time to time direct.

3.—It shall be the duty of the Superintendent, under the direction and control of the Committee of Streets, within the town, to attend to the laying out, widening, elevations and repairs, the sweeping, cleaning and watering of the same, cleaning away the

snow and other like duties, and the making, repairing and improving of any bridges, drains, sewers, gutters, channels, pavements and sidewalks within the same, and give notice to the Committee of Streets of any nuisance, obstructions or encroachments thereon.

4.—The Superintendent shall keep such accounts and records of his proceeding, as shall be ordered by the Council or the Committee of Streets, and furnish accounts properly vouched, whenever required so to do, by the Council or Committee of Streets.

5.—The Committee of Streets shall have power to make contracts for the supply of labor and materials for the streets, and for the use of such horses and carts as shall be required for the purposes of the street service.

6.—The Committee of Streets shall have power under direction of the Council, at any time to enter into a private contract with any person or persons to keep the streets of the town or any portion of them in good order and repair, or to put that service up to public competition.

7.—No such contract or letting shall be for a period of over one year, and the contractor, whether by private agreement or public competition, shall give bonds with good and sufficient sureties in such sum as the Council may name for the faithful performance of the work.

8.—The Council may from time to time in their discretion, pay the contractor such proportionate part of the contract price as they may deem just and prudent, but no money shall be paid except on a certificate of the amount of work done, and that the same has been well and faithfully performed, signed by the Superintendent, and countersigned by the Chairman or two of the Committee of Streets.

9.—All sums required for the street service within the town of Dartmouth shall be borne by and taken from the general revenues of the town.

10.—Every male resident of the town between the ages of 18 and 60, except firemen, engine men, axemen, ministers in charge of congregations, school teachers, Superintendent of Education, shall annually pay a road tax of Two Dollars, and the balance of the sum required for street purposes, shall be raised by an equal rateable assessment on the real and personal estate of the citizens in the same manner as the other revenues of the town are raised by assessment, and the sum so raised together with the sum realized from the road tax, shall be paid into the Town Treasurer, and become part of the general revenues of the town, provided that the sum of two dollars be deducted annually from the rates to be levied on all members of the Fire Department in lieu of their present exemption from statute labour.

11.—No person shall pile, deposit or place on any road, street, lane or other public place of the town, any manure, compost, wood, lumber or other substance or material, whatsoever under a penalty of three dollars for each offence, and every twenty-four hours that such manure, compost, earth, wood, lumber or other substance or material shall remain piled, deposited or placed on any road, street, lane, or other public place of the town, shall be held to be and shall be a separate offence.

12.—No person shall slack, riddle, mix with sand or otherwise prepare lime in any of the roads, streets or lanes of the town, unless by written permission from the Committee of Streets, under penalty of Two Dollars for each offence.

13.—The occupiers, owners or persons in charge of houses, stores, lots, and pieces of land, shall be bound after every fall of snow, to clear away the snow from the sidewalks and gutters of their respective premises, within two hours after it shall have ceased to fall, under penalty of not less than one or more than five dollars on each person who neglects or omits so to do.

14.—No person shall encumber or obstruct a free passage through any street, lane, or sidewalk, or path of the town by exposing for sale, unpacking, or suffering to remain upon any road, street, lane, or alley, or upon the sidewalk or footpath thereof, any lumber, iron, coal, trunk, bale, crate, cask, package or other articles, or anything for more than two hours, or leave any such articles at night on the road, street, lane, or sidewalk, after six o'clock, under a penalty of not less than one dollar; and the continuance of any such obstruction for one hour after notice given, by the Police or other Constable, to remove the same, shall be deemed a new offence, and for every hour it is continued he shall be liable to an additional fine of fifty cents.

15.—The Council shall have power to lay out, down, and build any new bridge, or to alter the location of any bridge; and to lay out any new street, road, lane, or highway, to improve, enlarge, make straight, and widen, any bridge, road, street, lane, passage, or public place, within the town, and for that purpose to remove when necessary any building, projection, wall or fences, or portion thereof, to direct a survey to be made, and unless a satisfactory private arrangement be made, shall appoint one competent person, and the proprietor of the property so sought to be taken as aforesaid shall appoint one other competent person and they two shall appoint a third, none of whom shall be interested in said road, street, lane, or bridges or the land to be occupied by any new bridge, but who may be residents of the town, and who shall be compensated for their labor out of the town funds to appraise the damages to be paid to those whose

lands may be taken to form the road, street, or lane, or the site of any bridge, or whose building wall or erections may be removed or destroyed in whole or in part for the improvement of any street, lane, or public passage.

16.—The appraisers shall notify the parties interested, and hear them if required, and the appraisal being made by the three appraisers or any two of them, notice shall be given to each person whose land is taken, or whose buildings are to be removed in whole or in part, or to his agent ten days at least before the meeting of Council at which it is to be confirmed, the Council shall give any party objecting to the appraisal an opportunity of being heard, and of proving their objection by testimony. If the expense and damage appear to the Council to be excessive when compared with the utility of the work they may suspend or abandon the undertaking at any period, compensating for any damage actually done.

17.—Hereafter no proprietor or possessor of land shall open for public use or dedicate to the public, any new road, or street, over and on his property of less than sixty feet wide, and the Committee of Streets are authorized in their discretion, wholly or partially to close up and obstruct any road, street, lane or thoroughfare of less than sixty feet in width, which may be hereafter laid out or opened, or which may have been so laid out and opened contrary to law.

18.—The Council shall not accept the dedication of any road, street, or lane to the town of a less width than sixty feet, nor shall any public monies or revenues be paid out or expended on any road, street, or lane of less width than sixty feet, except the roads, streets, or lanes in which at the time of the incorporation of the town, statute labor had actually been done or public monies expended.

19.—Persons intending to build upon or close to the line of a street, shall before digging the foundation or commencing the building, apply to the Committee of Streets to cause the line of the street to be defined, and laid out, and shall defray the expense of a Surveyor if necessary to employ one, and shall dig the foundation and erect the building within the line. And if any person shall erect a building on the line of said street, or without making such application and having the line so ascertained, he shall forfeit a sum of not less than forty dollars or more than eighty dollars, and shall also remove the encroachment, or otherwise the Council or their Committee of Streets, may cause the same to be removed or take the steps allowed by law in case of nuisances.

20.—When the Committee of Streets or their Superintendent shall have proceeded to ascertain the line of street on application of any party about to build thereon, and he shall be dissatisfied with

the line pointed out by the Committee or their Superintendent, a Judge of the Supreme Court shall upon application of either party issue a precept to the Sheriff or his Deputy, to summon a jury of six disinterested free-holders to meet on some convenient day therein named, to view and lay out the line, and the jury shall be sworn by the Sheriff or his Deputy well and truly to lay out and establish the line of streets according to their best judgment, and the witnesses tendered shall be sworn by the Sheriff or his Deputy, and if the jurors or either party require it a new Survey of the line shall be made, and the Sheriff shall make a return forthwith under the hands of himself, and the jurors to a Judge, who, if he shall approve thereof, shall confirm the return, and the same shall be filed in the Prothonotary's Office at Halifax, but if the judge shall not approve of the return a new precept shall be issued and proceedings had thereon in manner prescribed as to the first precept and so on until a return be confirmed, and the Judge shall direct how and by whom the expenses of the proceedings shall be paid, and the same shall be taxed by the Judge not to exceed sixty dollars.

21.—Any person who shall designedly and unnecessarily drive any carriage or cart, or ride on a sidepath, or roll or place heavy articles on the same to the injury or obstruction of the sidewalk, shall for every offence forfeit not less than one dollar nor more than ten.

22.—No persons shall stand in a group or near to each other on any sidewalk or bridge so as to obstruct a free passage for foot passengers under a penalty of not less than one or more than two dollars; and any person or persons refusing or neglecting after the request of the Warden, any Councillor, or any of the Town Officers, Policemen, Constable or Watchman to remove and not obstruct such sidepath or bridge, shall be deemed to have committed the above offence, and shall be liable to the penalty.

23.—Any person who shall on any street, lane, bridge or thoroughfare or sidewalk use openly any profane, obscene, lewd or lascivious language, or be guilty of any obscene, lewd or lascivious conduct or behaviour, or who being on the street, lane, sidewalk or bridge, shall openly challenge any one to fight, or shall use abusive or provoking language, or shall make any noise or disturbance thereon, or shall obstruct any person or persons in their shops or houses, or proceeding on their lawful business, or who, shall appear to be on any street, lane, sidewalk, or bridge in a drunken or intoxicated state, may be forthwith arrested and taken into custody by day or night by the Warden, the Recorder or any Councillor, or by any Police or other Constable, or any Watchman

and taken to the Police Office and there detained until identified, and shall be subject to a fine not less than one dollar nor more than ten dollars, and on non-payment to an imprisonment not exceeding sixty days.

25.—No action shall be commenced against the Town or their Committee on Streets, or persons acting under them, until twenty days notice in writing shall be given to them, nor after six months next after the act committed for which the action shall be brought and every such action shall be laid and tried in the county of Halifax.

### **PUBLIC PROPERTY.**

1.—The Council shall have full power to manage the real estate of the town, and to lease the same for any term not exceeding ten years, and on such conditions as they shall see fit, and for any period exceeding ten years by and with the consent of the Governor in Council.

2.—All Leases and Deeds shall be under the Town Seal, signed by the Warden and countersigned by the Town Clerk.

3.—Any person or persons found destroying, injuring or defacing any bridge or other public property of the town, or digging up or removing any of the soils or stones on the Common or other public property, or injuring or destroying any trees planted in the streets, lanes, common, or other public places of the town; or in front of any house or building which have been growing or placed there for shade or ornament or other purposes, shall be liable to a penalty of not less than two or more than forty dollars, and in default of payment shall be sentenced to confinement in the lockup or jail for a period of not less than three or more than thirty days.

4.—Any person closing up or obstructing any street, lane, thoroughfare or other public place, or depositing any nuisance thereon, shall be liable to a penalty of not less than two or more than forty dollars, and in default of payment shall be confined in the lock-up or jail for a period of not less than three or more than thirty days.

### **AUCTIONEERS' LICENSE.**

1.—No person shall within the town of Dartmouth exercise the office of Auctioneer, or sell at public vendue any real estate, goods or chattels whatever without being licensed thereto by the Council, which license shall be granted on application to the Committee of Licenses, and be in the form in the Appendix, and be signed by the Warden and Town Clerk.



2.—The fee for such license shall be twenty dollars, subject to be from time to time altered as the Council shall determine, to be paid at the time of applying for the same, and if any person without such licenses shall sell any real estate, goods or chattels at public vendue or auction, he shall forfeit and pay a sum not exceeding fifty dollars for each offence, to be sued for and recovered in the name of the town, and for the use of the town. Nothing herein contained shall extend or apply to Sheriffs or Officers of Justices selling under process of law or by direction of any Court.

### LIQUOR LICENSE.

1.—The Warden and the members of the License Committee, or a majority of them, shall have full power to grant general or special licenses to hotel and inn keepers, victuallers, retailers and confectioners, within the limits of the municipality, and also licenses for the sale of liquor of any kind, but no license to sell liquor shall be issued or granted to any person who keeps a house of ill fame. And all licenses whenever granted, shall expire on the fifteenth day of March in each year.

2.—The Warden and License Committee or a majority of them may annex to the license such reasonable conditions in regard to time and place, and other circumstances under which such license shall be acted upon, as in their judgment the peace and good order of the town may require.

3.—The Council shall fix the amount of duty to be paid by each class of license, and the fees to be paid for issuing the same.

4.—Bonds shall be given by all persons so licensed in reasonable sums and in sufficient sureties to be approved of by the Warden and Committee of Licenses, conditioned for the faithful performance of the terms of said license, and of the laws, by-laws and regulations now or hereafter to be in force respecting the same.

5.—The Warden and License Committee or a majority of them, shall have power to revoke or suspend any such license, if in their judgment the order and welfare of the town shall require it.

6.—Any person who shall presume to sell by retail intoxicating liquors without having first obtained a license therefor, or in any manner contrary to the terms of said license, or after the same shall have been revoked or suspended, shall be liable to the penalty and forfeitures which by any by-law or ordinance of the town, or by any act or law of the Province now or hereafter to be in force, shall or may be imposed on the sale of liquors without license, and shall in addition be liable to imprisonment in the county jail for such term

not exceeding six months, as in the discretion of the Warden, Councillor, or Recorder, before whom the party so offending shall be tried, shall seem fit, and shall also be taken and deemed to have forfeited their bonds, upon which suit may be instituted against them or their sureties at the discretion of the Warden, Presiding Councillor, or License Committee.

7.—Any person to whom a license shall be granted, shall before receiving the same pay the whole duties and fees to the Clerk of License, and shall also enter into a bond with two sureties in the form in Schedule F., which bond shall when executed be filed with the Town Clerk.

8.—The Warden or any Councillor or the Recorder shall have full authority, and power upon view, or upon complaint made upon oath of any riotous or disorderly conduct in any tavern or other place where intoxicating liquor is sold, to arrest, or order, or issue a warrant for the arrest of the party or parties, and take them to the lock-up, and thereon the Warden or presiding officer shall enquire summarily into the matter of such complaint, and shall investigate the same and shall dismiss the same with costs to be paid by the complainant, or shall convict the keeper of such inn or tavern or other place where intoxicating liquors is sold, of having a riotous, disorderly house or shop, and shall abrogate the license for keeping the same, or shall suspend the benefit of the same for any period not exceeding sixty days with or without costs, as in his discretion may seem just, and during the period of such suspension, the keeper of such inn, tavern, or other place where intoxicating liquors is sold shall lose all the privilege, power and protection, that would otherwise have been afforded him by his said license.

9.—All shops, houses, or other places except hotels, taverns and inns where intoxicating liquors is sold, shall be closed every evening, Saturdays excepted, at eleven of the clock, and on Saturdays at ten of the clock, and shall not be opened before sunrise.

10.—No bar shall be kept open in any hotel, tavern, or inn, or intoxicating liquors furnished for pay or otherwise, to any person or persons except parties actually and bona fide boarding in his house, by any hotel, tavern, or inn keeper after the hours of eleven o'clock in the evening of any day, nor shall a bar be opened or intoxicating liquors sold or furnished before sunrise.

11.—No intoxicating liquors shall be furnished for pay or otherwise, by any hotel, tavern, or inn keeper on the Sabbath day to any person or persons except boarders actually and bona fide residing in his house, and no bar shall be opened in any hotel, tavern, or inn on the Sabbath day.

12.—No shop where intoxicating liquors are sold shall be opened on the Sabbath day, nor shall any intoxicating liquors be furnished therefrom on that day, for pay or otherwise, to any person or persons on any pretence whatever.

13.—The Warden, Councillors, Recorder, or Police Constable shall have full power to enter at all times by day or night, all places within the town where intoxicating liquors are licensed to be sold, for the purpose of seeing that the provisions of the act regarding the sale of intoxicating liquors, or any acts in amendment thereof, and any by-law or ordinance of the town are complied with, and for the purpose of putting down any riotous, disorderly, gambling indecent, improper, or criminal conduct, and if necessary to arrest the party or parties so guilty of violating the law, or by-law or ordinance of the town, and all minors and apprentices found therein, and to take them to the lock-up for examination.

14.—Any persons who shall disobey or infringe the license law of this Province or the provision of this by-law or ordinance, or any other by-law or ordinance hereafter to be made by the Town respecting or regulating the sale of intoxicating or fermented liquor or the government or management of the shops, taverns, hotels or other places where intoxicating or fermented liquors are sold, or shall be guilty of selling or furnishing intoxicating liquors to indians, minors, or apprentices, or shall forcibly oppose the Warden, Councillors, Recorder, Clerk of License, or Police Constable in their inspection of the premises, or in the exercising of their duty under this by-law or ordinance, or shall suffer any card playing or gaming to be carried on therein, shall, for every offence in addition to any other penalties imposed by any statute of this Province now passed or hereafter to be passed, this by-law or any ordinance to be hereafter passed in the premises, be liable to a penalty of not less than three dollars or more than fifty dollars, and in default of payment of such fine with costs forthwith, shall be subject to an imprisonment in the lock-up of the town, or in the County jail for a period not exceeding sixty day, or until the fine and costs are paid, and in case of any party convicted a second time for any such offence, his license may be suspended or revoked by the Warden and License Committee or a majority of them.

15.—It shall be the duty of the Police Constable, and any other person appointed by the Council for that purpose, on views, or when thereto ordered by the Warden, Recorder, or any Councillor, to arrest all persons found in the streets or public places of the town in a state of intoxication, and detain them in the lock-up for examination, and the Warden, Recorder or any Councillor shall

inflict such fine not exceeding twenty dollars, as in their discretion shall seem meet, and in default of payment, the party shall be subject to imprisonment in the lock-up for a period not exceeding twenty days.

17.—If on such examination such person shall disclose the place where he obtained and the party who furnished him with intoxicating liquor, and if the party whose name is disclosed have no license to sell intoxicating liquors, The Warden, Recorder or presiding Councillor shall issue a summons against the person whose name has been so disclosed as aforesaid, and the proprietor of the place where the liquor was obtained, who shall be thereupon prosecuted for selling liquor without license.

18.—If the proprietor of the place where the intoxicating liquor has been obtained, hold a license for the sale of intoxicating liquor in force when the said liquor was furnished—the Warden shall cause to be served on said proprietor, a notice requiring him not to sell or furnish intoxicating liquor to the party so intoxicated as aforesaid, for a period of six months from the date of said notice, and if the said proprietor shall furnish liquor to the said party at any time within the said period, he shall be liable to a fine of not less than twenty or more than fifty dollars for each offence with costs, and to be confined in the lock-up or county jail until such fine and costs are paid.

19.—No Councillor of the town, or Justice of the Peace, shall hold a license for the sale of intoxicating liquors, or be directly or indirectly interested in the sale thereof by retail.

### HACKNEY CARRIAGES.

No person shall keep or drive in the town any carriage, waggon, gig, chaise, sleigh or conveyance for the carriage of passengers, for hire, or to ply as a hackney carriage, cab or omnibus, in the streets or lanes of the town, unless under a license for that purpose previously obtained from the Warden and License Committee.

1.—Carriages so licensed for conveying persons from place to place within the town for hire shall be numbered.

2.—A Committee of three of the Town Councils shall be annually appointed who shall have supervision of the owners and drivers of said carriages, and their conduct.

3.—The Committee shall cause the number of each carriage to be painted or fixed in some conspicuous part or parts thereof, and together with the owner's name, be registered in a book to be kept at the town office for that purpose.

4.—All applications for such licenses shall be made in writing to the Warden, and two of the Committee of Licenses, for the time being, and no such application shall be received but from the bona fide owner of the horse or horses, carriages and harness to be used, nor unless the applicant shall be recommended by at least three respectable house holders, and shall execute a bond to the town, with two sufficient securities in the sum of one hundred dollars for the faithful performance of his duty, and for the safe conveyance of property placed in his charge.

5.—The fees for such License shall be the sum of two dollars and fifty cents to keep and drive for hire as aforesaid, one horse, five dollars for two horses, and for each additional horse over and above two, one dollar to be paid at the time of taking out such license. The Town Clerk shall furnish the person obtaining such license with a copy of the Table of Fares and Distances to be produced to any person employing the said carriage. who may demand an inspection thereof.

6.—The carriages employed, the horses used, with their fittings up and harness, shall be such as the Committee of License shall appoint and direct, and shall be subject to the inspection and approval of the Committee and the Warden, and the Committee may suspend or revoke the license of any person who shall keep in use, any driver, carriage, or horse, objected to by the Committee, or decline to obey their order in respect to the carriages, harness, fittings or conditions of any such carriage.

7.—All carriages so licensed, while not actually engaged in conveying persons, shall from six o'clock in the morning until sunset every day, between the first of May and the last of September, (Sundays excepted) and from eight o'clock in the morning until sunset every day between the first day of October and the last day of April, (Sundays excepted) be on their respective stands ready for employment.

8.—Every hackney carriage, when driven or used in the night time, shall have fixed upon some conspicuous part of the outside thereof, two lighted lamps with plain glass fronts and sides, and having the number of the license of such hackney carriage in figures of at least one and a half inches in size (Arabac numerals) painted with black paint upon the sides and front of each lamp so as to be at all times conspicuous, under penalty upon the owner of not less than one dollar or more than two dollars for each omission or breach of this rule.

9.—The licenses shall commence on the first day of March, and continue in force for one year only, and all licenses from time to time granted intermediately, shall expire and become void on the first day of March in each year, but may be renewed upon payment of the license fee; and the Warden and the Committee of License may at any time they think proper suspend or revoke any such license, whether for negligence or misbehaviour of the person in charge of such carriage, in refusing to be employed, or in driving the same, or from abusive or otherwise insulting language, or for otherwise transgressing this ordinance.

10.—Any person or persons who shall take up a stand on any street, lane, or alley in the said town, with, or keep, or drive any carriage for conveying persons for hire therein, in, through, or upon the streets, lanes or alleys of the said town, without being first licensed thereto, or having been licensed, shall keep in the street, lanes or alleys of the said town, or drive, use, or employ more horses than he is licensed to use or otherwise employ, or shall drive, use, or employ any carriage for the purpose aforesaid, after the license shall have expired or have been suspended or revoked, and not renewed, shall be liable to a penalty of five dollars for every offence, and the carriage of every respective passenger shall be deemed and adjudged a separate offence, and punished accordingly.

11.—Any person or persons having a license in full force, who shall not have his carriage properly numbered, or any driver or person in charge of a licensed carriage who shall not produce the Tables of Fare and Distances when thereto required, or who, being upon his stand disengaged, shall refuse to convey any person seeking to employ him, or who shall in any way violate this ordinance, shall for each offence beside being liable to have his license revoked, forfeit and pay such fine as under and by virtue of this ordinance, may be adjudged against him, and the owner or driver of any such carriage who shall demand or extort from any person or persons a sum beyond the rate of fare herein established, or hereafter to be established, may be so fined, and shall forthwith forfeit the license for such carriage, and be liable to refund to the party grieved, the sum so extorted with costs of prosecution. Livery Stable keepers not occupying the stands of said Town shall be liable in every respect to this ordinance except as to going on the stands.

12.—All persons whether owners or drivers of carriage, who offend against this ordinance, shall on conviction in the Police Court be subject to a fine not exceeding ten dollars and costs, and in default of payment to imprisonment in the jail for a term not to exceed thirty days.



14.—The word carriage wherever it occurs in the foregoing ordinance or by-law, is to be understood and shall be taken to mean every description of coach, chaise, waggon, cab, gig, sleigh or other vehicle or conveyance, either upon wheels or runners, close covered or open, used or to be employed for the purpose aforesaid by whatsoever name or names they may be known or called.

15.—No boy under eighteen years of age shall be allowed to drive any such licensed carriage; and the holder of such license shall be subject to a penalty not exceeding five dollars for employing or permitting any such boy to drive his vehicle.

16.—The Town Clerk of License shall issue all licenses, and take the bonds under this ordinance.

17.—Cards of the table of fares and distances printed shall be fastened in some conspicuous place in the interior of every such licensed vehicle for the information of passengers. If any such vehicle is deficient therein, the proprietor shall be liable to a penalty of not less than one dollar nor more than five dollars.

18.—While at the stands the drivers shall sit on, or stand by their carriages, and not stray from them or form groups, under penalty of one dollar for each offence.

19.—No licensed cabman or driver shall drive his horse faster than a slow or easy trot in or through any part of the town.

20.—The following shall be the table of distances and prices for cabs and hackney carriages, subject to alteration from time to time by the Committee on Licenses, with the approval of the Council, which altered table shall come into force by order of Council.

21.—From Steamboat Wharf to any distance to the west of the Canal Bridge extending north to the foot of Synott's Hill. The north end of Pine Street and the bridge across the Canal Brook at Stanford's late property..... 10 cents.

To John Wallace's corner.....	12	“
Dr. Cogswell's north-west corner....	15	“
Southern boundary of the Town on road to Fort Clarence.....	25	“
Mr. Forbes' corner .....	15	“
Northern boundary of the Town, Gates' road....	25	“
Mrs. Sinclair's gate.....	15	“
Eastern boundary of Town at Hurley's.....	25	“
Mount Amelia gate .....	15	“
Boundary of the Town on Cole Harbour Road....	25	“
Bridge at Dooley's Mill.....	15	“
Northern boundary of the Town on Tufts' Cove Road .....	25	“

Stairs' Ropeworks .....	30 cents
Any distance within Prince Arthur's Park and Esson property .....	37 "
Asylum .....	40 "

When two or more passengers are conveyed in the same vehicle, five cents for each passenger shall be deducted from the above rates.

Cabmen hired by the distance, in case of detention, may charge for one quarter of an hour ten cents extra, and for half an hour twenty cents extra.

Return fares in the same cab shall be one-half of the above prices.

For carriages hired by the hour, the fare shall be for a single person one dollar per hour, for two persons seventy-five cents each, and for each additional party twenty-five cents. Children under twelve years in company with a grown person fifteen cents each.

The fare for saddle horses shall be one dollar per hour.

Fares for night services, from seven in the evening to twelve o'clock midnight, shall be double the above fares; after twelve o'clock the charge shall be as agreed upon between the parties.

22.—Any licensed cabman or keeper of hackney carriages within the Town of Dartmouth who engages to be at any particular place within the limits of the town at a particular or given hour or specified time, whether by day or night, who shall not be punctual to the time of his engagement, upon conviction of said neglect, shall be liable for the first offence to a fine not to exceed five dollars and for the second offence a fine not to exceed ten dollars, and for a third offence shall be liable to forfeit his license, and be liable to a fine not to exceed twelve dollars, to be recovered for the use of the town before the Recorder or Stipendiary Magistrate, or other party presiding at the Police Office, and on non-payment of the fine imposed shall be imprisoned in the county jail or lock-up of the town, for a term not to exceed sixty days.

23.—Every licensed cabman or keeper of hackney carriages within the town of Dartmouth, whether upon his stand or at his residence or place of business, upon being applied to at any time between the hour of seven o'clock in the evening and twelve o'clock at night, shall without delay place himself or his driver, and horse or horses, cab or carriages, at the disposal of the party so applying, and shall forthwith proceed to any place within the limits of the town as directed.

24.—The legal remedy of any person aggrieved by the conduct of any licensed cabman or keeper of hackney carriages, or livery stable keeper or other servants, shall not be taken away or in any way interfered with by this ordinance or by-law.

The license shall be in the form in the Appendix.

## TRUCKMEN'S REGULATIONS.

1.—No person shall drive any truck, cart, sled or carriage, for the transportation of goods, wares and merchandize, or other things whatsoever, within the town of Dartmouth, for hire or wages, unless he shall be licensed as a truckman, under a penalty of five dollars for each offence, and no person shall be entitled to receive a license who shall not produce a written recommendation signed by parties willing to be sureties. License to be granted on application to the Warden and Committee of License, such license to stand in force until the first day of March then ensuing.

2.—On granting such license the persons obtaining the same shall execute a bond to the town of Dartmouth, in the sum of eighty dollars and two good sureties, each in the amount of forty dollars, conditioned for his orderly driving and the security and safe conveyance of such articles as he may be required to transport, and also for the strict and due observance of this ordinance or by-law, such bond to be furnished by the Town Clerk.

3.—Such bond shall be drawn to stand in force for one year, or such proportionate part thereof as the license shall be in force.

4.—The sum of two dollars and fifty cents shall be the License fee for the first horse, and one dollar for each additional horse, and shall be paid annually. Licenses shall expire on the first day of March in each year.

5.—Every box-cart used by a licensed truckman shall be capable of holding half a chaldron of coals without being heaped up, and shall be provided with such boards at the end and sides as shall perfectly protect that quantity of coal, viz : half a chaldron from falling out.

6.—Every licensed truckman shall cause the initial letter of his christian name and his surname in full length, and also the number of his license to be painted in large and legible characters upon each side of his cart, truck, or sled, and so continue the same under the penalty of one dollar for every day that he shall drive his cart, truck or sled, without having his name and number so presented thereon.

7.—The Warden or Committee on Licenses, on the granting of each license shall appoint the stand for the persons so to be licensed, and all trucks, carts, or sleds, when not employed, must be placed and kept during working hours, at the several stands allotted to their respective proprietors in such way and order as may be directed, and any truckman taking up any other stand than that to which he

shall be appointed, or deviating from the order prescribed, shall be considered as violating this clause.

8.—No licensed truckman being on his stand shall refuse or neglect to cart, truck, or employ his horse and cart, truck, or sled, for any person within the town of Dartmouth, when so requested.

9.—No person under the age of sixteen years shall be permitted to drive a truck, cart, or sled, for hire, and the licensed holder of every truck, cart, or sled, shall be answerable and accountable for the good conduct and behaviour of such driver as he may employ, and of the observance of all the regulations made or to be made relative to truckmen, and any driver of such cart, truck, or sled, who may be guilty of drunkenness, shall be dismissed by order of the Warden or any one of the Committee, and also forfeit and pay the sum of one dollar, and the license of such truck, cart, or sled, shall be suspended or forfeited by the Warden or any one of the Committee, according to the nature of the offence of such driver.

10.—No licensed truckman or driver shall drive his horse faster than a slow or easy trot, in or through any part of the town.

11.—No truckman shall refuse or neglect immediately to obey any call for any public duty to be made on him by the Warden or any of the Councillors, Recorder or Police Constable, and upon his refusal or neglect so to obey his license shall be suspended for such time as the Warden or Councillors shall think proper for such offence.

12.—If any licensed truckman shall neglect to occupy his stand or cease to truck for the space of one month he shall be considered as having resigned his stand, and shall not be entitled thereto unless prevented by sickness or other unavoidable accident, but may apply for and obtain a new stand.

13.—No truckman shall leave his horse and cart, truck or sled, without a driver, or shall feed his horse (except from a noose bag) in any one of the public streets or lanes of this town.

14.—No truckman whose license shall have been taken away or suspended, shall drive any cart, truck, or sled, within the town for hire, without obtaining permission or a new license therefor.

15.—Every licensed truckman shall have affixed to the harness used for the purpose of drawing his sled or sleigh, at least four good open bells, or six round bells, such as are continually used on sleighs.

16.—Every truckman in driving his cart or sled, shall leave the centre of the street on his right hand side.

17.—When the driver of any cart, truck, or sled, attempts to pass another cart, truck, or sled, or any carriage having its head in the same direction, such driver shall take care to pass on the right

hand side of such cart, truck, or sled, or carriage, which he is about to pass.

18.—Whenever any cart, truck, or sled, shall at any time stop whether loading or unloading, on any of the town streets, the same shall not be placed nearer to the centre of street than eighteen inches.

19.—In removing the furniture of a house the rate shall be settled by agreement of the parties, if not so settled fifty cents per load per half mile shall be charged and paid.

20.—If any licensed truckman shall ask, demand or receive from any person any greater rates or fares than is allowed and prescribed or may hereafter be allowed and prescribed, shall forfeit his license and pay the sum of not less than one dollar nor over five dollars.

21.—The licensed truckman or his driver in charge of his truck, cart, or sled, shall be bound to load and unload, and to assist in so doing on all occasions when employed, as far as such truckman or driver is capable.

22.—Every licensed truckman shall be furnished by the Clerk of License, with copies of this ordinance and with cards containing the rates and table of distances, and the persons in charge of any such licensed truck, cart, or sled, shall be bound on request of any person employing the same, to produce and exhibit to him such card of rates, distances and loads, under penalty of fifty cents for such refusal, and such refusal shall justify the employers in withholding payment until properly satisfied as to the rate charged.

23.—The Clerk of License shall make out and issue all licenses for Truckmen, and the bonds connected therewith.

24.—All fines and penalties under this ordinance, may be recovered in the Police Court in the name of the town.

25.—The following shall be the table of distances to the west of Canal Brook as far north as Stanford's south-east corner. 20 cents.

To John Wallace's house.....	25 "
Dr. Cogswell north-west corner.....	37 "
Southern boundary of town.....	50 "
Mr. Forbes' lot and house .....	25 "
Northern boundary of town.....	50 "
Mrs. Sinclair's.....	37 "
Eastern boundary of town.....	50 "
Mount Amelia gate.....	37 "
Boundary of town.....	50 "
Synott's Hill.....	20 "
Mrs. Hyde's corner.....	37 "
Southern Boundary of town .....	50 "
Stairs' Ropework.....	50 "

Any distances within Prince Arthur's } 50 cents.  
Park..... }

26.—The Committee of License shall from time to time fix and regulate the amount that shall be considered a full or regular load for a horse and truck, sled, or cart, and shall post the same in the office of the Town Clerk.

### EXHIBITIONS.

1.—No theatrical exhibition, public show, or exhibition to which admission is obtained by the payment of money, shall be offered to view, set up, maintained, carried on or published within the town, without a license first had therefor, which license shall be granted by the Warden on the payment of a fee or sum of not less than two dollars nor more than ten dollars, the amount to be fixed by the Warden and expressed in said license, every license shall express the number of days it is to continue in force, and an additional sum of one dollar shall be demanded for every day beyond the number stated in the license, such theatrical exhibition, public show or exhibition is continued, such license may be renewed on terms to be fixed by the Warden.

2.—All such exhibitions shall be closed at night by the hour of eleven o'clock. Any person who shall offer to view, or shall set up, set on foot, maintain, or carry on, or shall publish or otherwise assist in any theatrical exhibition, public show, or exhibition of whatever name or nature to which admission is obtained on payment of money, without a license previously obtained from the Warden, agreeable to this ordinance, shall forfeit and pay to the town for every offence a fine not exceeding twenty dollars, and in default of payment shall be liable to be imprisoned in the county jail or lock-up, for a term not exceeding thirty days.

3.—Any person having charge of such an exhibition who shall keep the same open at night beyond the hour herein prescribed, shall forfeit his license and pay a fine not exceeding ten dollars, and in default of payment shall be imprisoned in the county jail or lock-up of the town, for a period not exceeding fifteen days.

4.—The Warden may withdraw the license and order the exhibition to be at once closed, if it appears to him that it is immoral, profane or indecent.



## ANNUAL MEETING.

1.—The annual meeting shall, unless otherwise ordered by the Council, be held in the Town Hall on the Tuesday before the first Tuesday of May, at the hour of three in the afternoon; of which meeting five days notice shall be given by bills posted in three conspicuous places in each ward.

2.—Whenever at such meeting it is contemplated to recommend any sum required to meet any extraordinary service or improvement, the Warden or Chairman shall at the commencement of the meeting announce the hour when the vote shall be taken, and on the arrival of the hour all other business shall be suspended, and the voting proceeded with,—after which the suspended business may be proceeded with, or new business entered upon, provided that no business shall be transacted at such meeting except such as is provided in the 42 Section of the Act incorporating the town of Dartmouth.

3.—The Town Clerk shall provide a separate sheet for any service or improvement recommended by the Council—the heading of which shall designate the service or improvement recommended, said sheet shall contain three columns, in one of which shall be printed or written in alphabetical order of the surnames, the name of every rate payer of the town entitled to vote at such meeting—and the others shall be headed respectively “Aye” and “Nay,” and may be in the form in Schedule A. hereto annexed.

4.—The finding of the names of the rate payers on the same sheet, or the production of his receipt for the taxes of the preceeding year, shall determine the right of any person to vote at such meeting.

5.—In taking the vote the Town Clerk shall call out the name of the rate payers on his list, when such rate payer, if present, shall advance to the table, and give his vote “Aye” or “Nay,” and the Town Clerk shall immediately record the same under the respective column according to the vote given.

6.—Any rate payer whose name shall have been omitted from the list, shall be entitled to have his name entered on the list, and to vote in like manner, on the production of his tax receipt for the preceding year.

7.—If more than one service or improvement shall be recommended by the Council, the rate payers shall vote on each separately, but at one and the same time. The lists after every meeting shall be endorsed and carefully filed away to serve as records.

## TO SUPPLY VACANCIES.

1.—Upon any vacancy occurring within the year in the office of Warden or Councillor—the Warden—or if it be a vacancy in the office of Warden, the presiding Councillor shall declare the office to be vacant, and the voters shall thereupon elect a qualified person to fill the vacant office.

2.—The election for a vacancy shall be conducted as to nominations and in all other respects in the same manner as ordinary elections under the act of incorporation of the town of Dartmouth.

3.—The Warden or Presiding Councillor shall on declaring the office vacant declare the day on which the election to fill the vacancy shall be held.

4.—If at any election of Councillor any person shall be elected for more than one ward, he shall, within one week after, make his election for which ward he will set and communicate such his decision to the Warden or presiding officer, and in default of his doing so the Warden or presiding officer shall make the election and shall declare the other ward or wards vacant, and another election shall be had in the vacant ward or wards in manner aforesaid.

5.—A Councillor may resign office—if within one year from his election by the payment of forty dollars to the town—or at any time by a vote of four of the Councillors concurring in such resignation; after twelve months' service any Councillor may resign on giving two months' notice of such his intention to the Warden or presiding Councillor.

6.—All resignations and notices under this bye-law shall be in writing and signed.

7.—Any Warden or Councillor, bankrupt insolvent on compounding with his creditors by a general deed of assignment, shall become disqualified, and the Warden or presiding officer shall thereupon declare the office vacant.

8.—Any warden or Councillor who shall absent himself from the town or shall neglect his duty for the space of two months, unless in case of serious illness incapacitating him, or by leave obtained by vote of the Council, shall forfeit and pay the sum of twenty dollars for each month he shall be so absent or neglect his duty to the use of the town, to be recovered in the town court.

## **ADDENDA.**

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The following section shall be added to and form part of the By-Law or Ordinance on "Liquor License :"

" Any person or persons who shall sell or ba ter any intoxicating or fermented liquors in quantities less than ten gallons, to be delivered at one and the same time, without having first obtained a license therefor, or after the said license shall have expired, or been revoked or suspended, shall be liable to the following forfeitures and penalties : for the first offence, forty dollars or imprisonment in the Lock-up or County Jail, for a term not exceeding thirty days in the event of immediate non-payment of fine ; for the second offence eighty dollars or imprisonment as aforesaid, for a term not exceeding forty days ; and for a third offence the said party or parties shall be imprisoned for a term not exceeding six months in the Lock up or County Jail.

# APPENDIX.

## ASSESSMENTS.

### SCHEDULE A.

Column 1.—Names of taxable party.

- " 2.—Name of ward and street in which the real property lies.
- " 3.—Description of real property, whether house, land, &c.
- " 4.—Quantity of land.
- " 5.—Annual value of each separate parcel.
- " 6.—Actual value of all the real property of the party assessed.
- " 7.—Total value of personal property of party assessed.
- " 8.—Annual value of the same.

### SCHEDULE B.

<i>Appellant.</i>	<i>Respecting whom.</i>	<i>Matter complained of.</i>
A. B.	Self.	Overcharge on land.
C. D.	E. F.	Name omitted.
G. H.	J. K.	Undercharge on land.
L. M.	M. O.	Undercharge on personal
&c.	&c.	property. &c.

### SCHEDULE C.

Sir,—Take notice that you are requested to attend the Court of Appeal and revision at.....on the.....day of.....in the matter of the following appeal.....Appellant.....Subject.

To.....

*Town Clerk.*

### SCHEDULE D.

DARTMOUTH,.....18

You are hereby notified that you are rated and assessed for the current year 18 the sum of.....dollars and cents for town, county and poor rates, and that unless the amount be paid at the office of the Town Clerk within thirty days from the date hereof ten per cent. will be added thereto, besides all charges, and costs of collecting and a warrant of distress will be levied.

To.....

.....*Town Treasurer.*

## SCHEDULE E.

Whereas.....is indebted to the town of Dartmouth in the sum of .....for rates for the year 18.. and has failed to pay the same, you are hereby required immediately to distrain the goods and chattels of the said .....for the said sum, and ten per cent additional, and.....for the cost of collection, and if need be to remove them to some place for safe keeping, and if within.....days after distress made the property so distrained is not redeemed by the payment of the said sum, with the ten per cent. thereon beside the cost of collection, and any necessary additional charges be not paid you shall sell the goods and chattels so distrained upon to satisfy the same.

Dartmouth.....18

To.....

.....Town Treasurer.

## SCHEDULE F.

DOMINION OF CANADA,  
PROVINCE OF NOVA SCOTIA.

TOWN OF DARTMOUTH,  
HALIFAX, N. S.

Know all men by these presents, that.....are held and firmly bound unto our Sovereign Lady the Queen, her heirs and successors, in the sum of Two Hundred Dollars, of lawful money of Canada, to which payment we jointly and severally bind ourselves, our heirs, executors, and administrators, by these presents, sealed with our seals.

Dated at Dartmouth the.....day of .....in the year of our Lord One Thousand Eight Hundred and.....

Whereas the above bounden.....has been granted a License for the sale, by retail, of intoxicating liquors, in the.....kept by the said.....on..... Now, the condition of this obligation is such, that if said.....shall in all respects conform to the Laws in force respecting the retail of intoxicating liquors, and connected with such License, then this obligation shall be void, but otherwise shall remain in full effect.

Signed, Sealed, and Delivered, }  
in the presence of }

## LICENSES.

## AUCTIONEER'S LICENSE.

LICENSE OFFICE,  
Town of Dartmouth.....18

License is hereby granted to.....to carry on the business of Auctioneer in the Town of Dartmouth, for one year from the date hereof, he complying with the Bye-Laws and regulations of the Town made or to be made pursuant thereto, and having paid to the Town Treasury the License duty.

Given under the hand of the Warden and Town Clerk this.....day of .....in the year of Our Lord One Thousand Eight Hundred and.....

License duty paid this.....\$

.....Town Clerk.

.....Warden.

## HACKNEY COACHES.

(FORM OF LICENSES.)

TOWN OF DARTMOUTH,.....18

Licence is hereby granted to ..... until the first day of March next, to keep ..... horse and hackney carriage in the Town of Dartmouth, he having executed a Bond as required, and complying with the present or any future bye-law and ordinance of the Town relating to hackney carriages.

Town Clerk.

..... Warden.

..... Councillor.

## FORM OF BOND FOR HACKNEY AND CAB DRIVERS.

Know all men by these presents that we ..... of the Town of Dartmouth and ..... and ..... of ..... are held and firmly bound unto the Town of Dartmouth in sum of one hundred dollars, lawful money of the Dominion of Canada, for which payment well and truly to be made, we bind ourselves and each of us and any two of us, and the heirs, executors and administrators of us, and of each and of any two of us jointly and severally by these presents.

Sealed with our seals dated the ..... day of ..... Anno Domini, 187..

The conditions of this obligation is such that if the above bounden ..... shall well and faithfully convey all passengers and property placed in his charge as licensed cab and hackney driver in the Town of Dartmouth and shall abide by, perform and fulfil the present or any future bye-law or ordinances of the Town of Dartmouth respecting hackney carriages in all things while he shall hold a license for the same, and pay to the Town all fines that may be lawfully imposed on him by virtue of such bye-law, then the above obligation to be null and void, otherwise to remain in full force and virtue.

..... L. S.  
..... L. S.  
..... L. S.

Signed, sealed and delivered in presence of .....

## TRUCKMEN'S LICENSE.

(FORM OF LICENSES.)

OFFICE OF CLERK OF LICENSE,  
Town of Dartmouth.....187

License is hereby granted to ..... to drive a cart, truck or sled, (number as per margin) and to keep .... horses for trucking, for hire in this Town of Dartmouth until the first day of March 187..., he complying with the Laws of the Province, bye-laws of the Town and regulations of the Council and Committee, and Committee of Licenses made or to be made, and having paid to the Town Treasury the License duty, said ..... to occupy stands.

..... Clerk of License.

..... Warden.

..... Councillor.



## FORM OF TRUCKMAN'S BOND.

Know all men by these presents that we.....of the Town of Dartmouth,.....  
of the same place and.....of the same place are held, and firmly bound  
the Town of Dartmouth, the said .....in the penal sum of eighty dollars,  
the said.....and.....in the sum of forty do  
each, for which payment well and truly to be made, we jointly and severally  
ourselves and each of us, and any two of us, and the heirs, executors and admini  
tors of us, and each of us, firmly by these presents.

Sealed with our seals dated the.....day of.....A  
Domino, 187..

The conditions of this obligation is such that if the above bounden.....shall  
and truly abide by, observe, perform and keep the laws, by-laws and ordinances w  
are or may be in force for the guidance and government of truckmen, and shall c  
fully receive, convey and deliver as required all such articles as he may take in ch  
for that purpose, so that no injury come to the same or damage to the owners th  
by or through his neglect or misconduct, and also if the above bounden.....  
and.....shall well and truly pay, or cause to be paid, all such fines  
penalties as may be adjudged against the said .....for  
violation of any of the said laws, bye-laws or ordinances made for the guidance  
good government of truckmen, then this obligation to be void otherwise to rema  
full force and virtue.

.....L.

.....L.

.....L.

Signed, sealed and delivered }  
in presence of }

ND.

of Dartmouth,.....  
ld, and firmly bound unto  
sum of eighty dollars, and  
the sum of forty dollars  
jointly and severally bind  
executors and administra-

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